

Providence City Planning Commission Agenda
Providence City Office Building, 15 South Main, Providence UT 84332

April 13, 2016

The Providence City Planning Commission will begin discussing the following agenda items at 6:00 p.m.
Anyone interested is invited to attend.

Approval of the Minutes:

Item No. 1. The Providence City Planning Commission will consider for approval the minutes of February 24, 2016.

Item No. 2. The Providence City Planning Commission will consider for approval the minutes of March 9, 2016.

Item No. 3. The Providence City Planning Commission will consider for approval the minutes of April 6, 2016.

Public Hearing: The Providence City Planning Commission will hold a public hearing to provide an opportunity for anyone interested to comment on a proposed rezone from Agricultural (AGR) to Single-Family Medium (SFM) for Parcel No. 02-115-0022, an 18.81-acre parcel located at approximately 1100 South 400 East, requested by Sierra Homes, LLC, before action is taken.

Action Items:

Item No. 1. Recommendation - Rezone: The Providence City Planning Commission will consider for recommendation to the City Council, a proposed rezone from Agricultural (AGR) to Single-Family Medium (SFM) for Parcel No. 02-115-0022, an 18.81-acre parcel located at approximately 1100 South 400 East, requested by Sierra Homes, LLC.

Study Items:

Item No. 1. Proposed General Plan Amendments and Use Chart Uses: The Providence City Planning Commission will discuss possible amendments for the zoning element of the Providence City general plan; including the definitions for zoning districts.

Item No. 2. Pending ordinance – Code Amendments to Providence City Code 10-6-1: The Providence City Planning Commission will consider code amendments to the Use Chart including but not limited to adding the words “counter top or” before the words “cabinet shop” in Item H. Industry and Manufacturing, Use 3.

Staff Reports: Any items presented by Providence City Staff will be presented as informational only.

Commission Reports: Items presented by the Commission Members will be presented as informational only; no formal action will be taken.

Agenda posted by Skarlet Bankhead on April 12, 2016.


Skarlet Bankhead
City Recorder

If you have a disability and/or need special assistance while attending the Providence City Planning Commission meeting, please call 435-752-9441 before 5:00 p.m. on the day of the meeting.

Pursuant to Utah Code 52-4-207 Electronic Meetings – Authorization – Requirements the following notice is hereby given:

- Providence City Ordinance Modification 016-2006, adopted 11/14/2006, allows Planning Commission Member(s) to attend by teleconference.
- The anchor location for this meeting is: Providence City Office Building, 15 South Main, Providence, UT.
- Member(s) may be connected to the electronic meeting by teleconference.

Providence City Council Members may be in attendance at this meeting; however, no Council action will be taken even if a Quorum exists.

1 **Providence City Planning Commission Minutes**
2 **Providence City Office Building**
3 **15 South Main, Providence UT 84332**
4 **February 24, 2016 6:00 pm**
5

6 Chairman: Larry Raymond
7 Attendance: Heather Hansen, Barry Nielsen, Wendy Simmons
8 Excused: Robert James
9

10 **Approval of the Minutes:**

11 **Item No. 1.** The Providence City Planning Commission will consider for approval the minutes of February 10, 2016.
12 Page 2, line 36 – change everything to everyone

13 **Motion to approve the minutes of February 10, 2016: W Simmons, second – H Hansen**

14 **Vote: Yea: H Hansen, B Nielsen, L Raymond, W Simmons**
15 **Nay: None**
16 **Abstained: None**
17 **Excused: R James**

18 **Public Hearing (6:00 pm):** The Providence City Planning Commission will hold a public hearing to receive public
19 comment on a request by Ironwood Development Group, LC, to rezone Parcels No. 02-0096-0001 and 02-096-
20 0049, generally located at 485 West 100 South and 450 West 100 South, from Agricultural (AGR) to Multi Family
21 High Density (MFH).

- 22 • Craig Winder, Ironwood Development, gave a brief summary of what the developers intend to do with the
23 rezoned parcels. They want to develop an apartment community. Mixed use and commercial zones are
24 located nearby. MFR and MFM are east of this property. MFH supports the commercial district. He
25 emphasized they are going to build something the City can be proud of and the target demographic will
26 have disposable income; they are millennials who prefer access to amenities over ownership. Market rate
27 rental community makes sense for this area.
- 28 • H Hansen asked if the development will be built in phases.
- 29 • C Winder said he didn't think so.
- 30 • An audience member asked how many units will go in.
- 31 • C Winder said MFH allows for 18 units per acre; however 180 units will not be going in because of the
32 amenities that will be provided.
- 33 • David Brand, 261 S. 425 W., commented about millennials in Cache Valley. The demographic here in
34 Cache Valley is different than in the rest of the nation.
- 35 • C Winder said it is important to appeal to a broad demographic of consumers to support commercial
36 development. The broader demographic you can attract the better.
- 37 • J Jackson said Riverwoods in Logan is at 90% occupancy, 20% premium on rentals.
- 38 • Mark Thompson disagreed with those numbers; he thinks it is quite a bit lower.
- 39 • H Hansen said she met with Brian Carver at BRAG, he said the vacancy rate in Providence is 4.7%, average
40 in the community is about 5%, higher rent apartment vacancy rates are lower.
- 41 • Rex Gustaveson asked the Planning Commission what the master plan shows for this piece of property
42 right now.
- 43 • L Raymond said it is currently zoned AGR.
- 44 • R Gustaveson said once this area is taken up in housing, there will be no option for retail, which is a
45 concern.
- 46 • Brian Cox, 200 West, said his concern was whether or not the sewer system could handle that kind of
47 density. He had concerns about trunk lines and roots. He asked the Planning Commission if the
48 infrastructure is in place to handle all the new development that is coming.
- 49 • Mark Thompson said he also had concerns about infrastructure. He has concerns about the sewer and
50 water capacities to handle the growth. He feels the City needs the tax revenue from commercial business.
51 He requests the Planning Commission to make sure the infrastructure is there and also to not give up
52 potential commercial property for residential property.

- 1 • Michelle Palmer, 437 W. 300 South. She also had concerns about having adequate water and asked how
2 the school system would be able to accommodate more children. Does the City have the space at the
3 elementary school and middle schools for the extra children?
- 4 • Morris Poole, owns business on 100 North, Providence Professional Center. He also owns three acres in
5 that area that is zoned commercial. He said this development would be excellent in supporting the
6 commercial businesses that are already nearby. He does not think all sewage flows to 100 N, some it will
7 flow south. Greatest problem is property taxes. As long as taxes are so high in Providence commercial
8 businesses will question whether or not they should locate to Providence.
- 9 Public hearing closed at 6:25 pm. Discussion with the developers and the Planning Commission continued.
- 10 • L Raymond said before any recommendations are made to the City Council, there are issues and questions
11 that need to be answered.
- 12 • H Hansen said City Council does not have to follow the Planning Commission's recommendations and she
13 encouraged audience members to attend the City Council meeting when it has a public hearing.
- 14 • J Jackson said he would like to address any questions the Planning Commission may have at this time in an
15 effort to clear up any unanswered questions.
- 16 • C Winder said it will be up to the City to decide if current infrastructure is sufficient. The developer's
17 contribution will be in paying impact fees. Tonight is not the approval of a process, just a thumbs up or
18 thumbs down to a rezone application. The City Council and the Planning Commission will have ample
19 opportunity to weigh in on the issues. As far as impact on schools, he does not have a specific response,
20 other than to say there will be 140-150 units in this particular apartment complex.
- 21 • J Jackson said as far as the schools go, these projects come into communities all the time, and schools are
22 a common concern. However, to deny a project on the basis that the schools cannot handle the influx of
23 children is not realistic. Population growth provides tax revenues for schools. Growth factors are taken
24 into consideration when new schools are built. There is potential that a new sewer line will be run down
25 100 South, but that is an issue that will be resolved as the project moves forward. Right now, they just
26 want to know if the Planning Commission is on board to move forward.
- 27 • L Raymond said the only problem he sees is if there is a group of investors and this turns out to be more
28 money than they want to commit, then some of the issues need to be determined before it is too late.
29 Once something is zoned, it is zoned that way until someone goes through the rezone process again to
30 change the zone.
- 31 • J Jackson said it does not make sense to do all the engineering studies before they even know if the City is
32 willing to move forward with the project.
- 33 • H Hansen said they aren't suggesting this not move forward until all studies are done, just some
34 preliminary ideas as to whether or not the City infrastructure and water can handle the growth.
- 35 • C Winder asked if the City has undertaken any efforts to see if the infrastructure can handle the growth if
36 these properties are zoned MFH or MXD.
- 37 • H Hansen said the Planning Commission hasn't even approved the master plan that makes this area high
38 density; the Commission is currently in the process of going through the general plan.
- 39 • S Bankhead said the City engineer can do a report to see how MFM and MFH density will impact the
40 infrastructure.
- 41 • M Thompson said a decision cannot be made on whether or not this can be rezoned high density without
42 the studies being done, and that is a time process. It is not good planning to approve the rezone, then find
43 out they City isn't ready for the growth.
- 44 • H Hansen asked what the building time line is.
- 45 • J Jackson said he isn't sure. The market study needs to be done first. There are a lot of factors that need to
46 be considered, but they are willing to look into those factors. Could be a 1-5 year project.
- 47 • H Hansen asked if there would be a time issue if this were to be continued.
- 48 • J Jackson said there isn't. The developer is willing to let the time process play out. The land contract is a
49 bit of an issue, but even then, there is time to let this go through the proper process.
- 50 • M Poole said the road needs to be considered too. The City has received money to finish that road. What
51 is the City planning for that road?
- 52 • S Bankhead said property acquisition will be completed this week, then design will be finished in about 90
53 days. COG will have to review the design, then it will go out for bid. The right of way is 80', all the way to
54 100 S, after that it is 66'.

- D Brand said the issue of the school still needs to be addressed. What is the district planning to do for the growth that is coming? If we continue to overcrowd schools, quality of education will suffer.
- M Thompson said the school is its own issue and it will be an on-going issue. The City has no control over that. It is a county and school district issue.
- L Raymond said the Planning Commission needs to know what kind of infrastructure is here, what it can handle and what upgrades will need to be made. City engineer and public works will have to be contacted.
- H Hansen asked the developers to comment on the amenities that will be available.
- J Jackson said club room, pool, spa, outdoor reception area, workout facilities, internet connections, hardwood floors, granite countertops on the interior. A walking path that will fit into the master plan will be added.

Action Item:

Item No. 1. Rezone Request. The Providence City Planning Commission will consider for recommendation to the City Council a request by Ironwood Development Group, LC, to rezone Parcels No. 02-0096-0001 and 02-096-0049, generally located at 485 West 100 South and 450 West 100 South, from Agricultural (AGR) to Multi Family High Density (MFH).

Motion to continue the rezone request until next meeting: H Hansen, second – B Nielsen

Vote: Yea: H Hansen, B Nielsen, L Raymond, W Simmons

Nay: None

Abstained: None

Excused: R James

Study Items:

Item No. 1. Proposed General Plan Amendments and Use Chart Uses: The Providence City Planning Commission will discuss possible amendments for the zoning element of the Providence City general plan; including the definitions for zoning districts.

SFR:

- All issues covered in previous meetings in regards to Item H. Industry and Manufacturing for SFE, SLF and SFT can be included in SFR, and are as follows (minutes taken from the 2/10/16 meeting):
 - H Hansen felt Bakery/Confectionery sales be allowed as a home based business in all zones. No stores (store fronts) should be allowed in SFT; they should be moved to commercial only. Laundry Services (pick-up and delivery) should be allowed as a conditional home-based business, but not laundry/dry cleaning store. Counter top and cabinet shop should not be allowed as a home based business. Bldg. Maintenance & Repair Service should be allowed as a home based business.
 - S Bankhead asked if Auto Repair should be allowed as a conditional use in the CGD.
 - H Hansen said they could be conditional use in either CHD or CGD. Auto repair could be allowed as a conditional use. H.1, 2, 3, 5 and 6, as well as counter top shop, could be allowed as conditional use home based business in SFT, AGR, SFE, SFL, and SFT.
 - S Bankhead said some of these home based businesses will have to be listed as conditional use so that hazard waste can be discussed.
 - H Hansen asked for a definition of light manufacturing.
 - S Bankhead read the light manufacturing definition. She suggested being very careful in allowing light manufacturing as a home based business. That is an area where business growth represents area growth and expansion.
 - H Hansen felt commercial crop production could be permitted in SFT and SFR.
- SFM and SFH will be discussed at next meeting.

Item No. 2. Pending ordinance – Code Amendments to Providence City Code 10-6-1: The Providence City Planning Commission will consider code amendments to the Use Chart including but not limited to adding the words “counter top or” before the words “cabinet shop” in Item H. Industry and Manufacturing, Use 3.

- This item is combined with Study Item No. 1.

Item No. 3. Proposed Code Amendment: The Providence City Planning Commission will consider a code amendment adding Chapter 6 Condominium Approval to Providence City Code Title 11 Subdivision Regulations.

- L Raymond – 11-6-2.A.5 - eliminate the word “to” in phrase “which to provide”. Staff Review: 11-6-3.A.1 needs clarification. Conversion needs to be clarified to read “Fire Marshall shall inspect each structure converted to condominiums.”
- H Hansen asked about townhomes being converted to condominiums.
- S Bankhead said this refers more to office buildings originally designed to be owned by one person and rented out, then the owner decides to convert to condos so they can sell individual units. That is why the word conversion is in there.
- H Hansen clarified that as a building is divided into condos, each condo gets its own property tax identification number.
- H Hansen asked about landscaping requirements.
- S Bankhead said it falls under the commercial landscaping code. If the footprint isn’t changed on a conversion there would be no new landscaping requirements. If the footprint is changes, then there would be new landscaping requirements.
- H Hansen asked about recording fees. She felt it needs to be specified as to who pays for those fees. 11.6.5.b.1 – should add “as defined by city ordinance/code.” 11.6.2.A.2.f – “Providence City will bill the Condominium Association, not individual units.” refers to information submitted for approval, but last page refers to establishment of a condominium association. Does that have to be done before or after plat approval?
- S Bankhead said before.
- H Hansen asked if that could be specified.
- S Bankhead asked if the condo ordinance should be scheduled for next meeting.
- The Commission said it could go to public hearing at the next meeting.

Staff Reports: Any items presented by Providence City Staff will be presented as informational only.

- S Bankhead said there is a development coming in Millville and they are running a road that will connect into Providence. Millville City wants to know if Providence is interested in that road or if they should have the developer do a cul-de-sac. This will be located straight south of 100 East before it makes the turn into Canyon Road. The road would not connect directly into 100 East, but Bessie Lane could be where the connection is.
- The Planning Commission felt it would be good to keep the options open.
- There was discussion about some of the possible issues and how they may be resolved if Millville connects to the Bessie Lane at about 200 South.

Commission Reports: Items presented by the Commission Members will be presented as informational only; no formal action will be taken.

Motion to adjourn: H Hansen, second – B Nielsen

Vote: Yea: H Hansen, B Nielsen, L Raymond, W Simmons

Nay: None

Abstained: None

Excused: R James

Meeting adjourned at 7:30 pm.

Minutes prepared and recorded by C Craven.

Larry Raymond, Chairman

Caroline Craven, Secretary

1 **Providence City Planning Commission Minutes**
2 **Providence City Office Building**
3 **15 South Main, Providence UT 84332**
4 **March 9, 2016 6:00 pm**
5

6 Chairman: Larry Raymond
7 Attendance: Heather Hansen, Robert James
8 Excused: B Nielsen, W Simmons
9

10 **Approval of the Minutes:**

11 **Item No. 1.** The Providence City Planning Commission will consider for approval the minutes of February 24, 2016.
12 Minutes will be approved at next meeting.

- 13 • Change Jeff Jensen to Jeff Jackson throughout.
- 14 • Include counter top shop with H.1, 2. 3 and 6.

15 **Public Hearing (6:00 pm):** The Providence City Planning Commission will hold a public hearing to receive public
16 comment on a proposed code amendment, amending Providence City Code Title 11 Subdivision Regulations by
17 adding Chapter 6 Condominium Approval.

- 18 • There were no public comments.

19 **Motion to close public hearing: R James, second – H Hansen**

20 **Vote: Yea: H Hansen, R James, L Raymond**
21 **Nay: None**
22 **Abstained: None**
23 **Excused: B Nielsen, W Simmons**
24

24 **Action Item:**

25 **Item No. 1. Code Amendment.** The Providence City Planning Commission will consider for recommendation to the
26 City Council a proposed code amendment, amending Providence City Code Title 11 Subdivision Regulations by
27 adding Chapter 6 Condominium Approval.

28 **Motion to recommend to City Council the proposed code amendment for Condominium Approval as stated in**
29 **Title 11 Chapter 6: H Hansen, second – R James**

30 **Vote: Yea: H Hansen, R James, L Raymond**
31 **Nay: None**
32 **Abstained: None**
33 **Excused: B Nielsen, W Simmons**
34

34 **Item No. 2. Rezone Request.** The Providence City Planning Commission will consider for recommendation to the
35 City Council a request by Ironwood Development Group, LC, to rezone Parcels No. 02-0096-0001 and 02-096-0049,
36 generally located at 485 West 100 South and 450 West 100 South, from Agricultural (AGR) to Multi Family High
37 Density (MFH).

- 38 • Rob Stapley, Public Works Director, discussed the water capacity at 100 South and Gateway Drive. He
39 stated there are already two mains located at 100 South and Gateway and when that street gets
40 developed there will be three mains. A fourth will be there when further development comes. The sewer
41 is capable of taking the waste from increased development.
- 42 • H Hansen asked if Logan's system could take additional waste that Providence will pump into it.
- 43 • R Stapley said at this time it is capable of taking the additional waste.
- 44 • H Hansen asked if there was a concern that eventually our water levels will die down.
- 45 • R Stapley said zone 1 is in better shape than zones 2 and 3. All wells are downtown and will feed into Eck
46 Reservoir. Zone 1 is in excellent shape. Zones 2 and 3 will require upgrades as development comes.
- 47 • Rob Stapley and Max Pierce, City Engineer, do not have any concerns regarding available water and sewer
48 for the development. The City has been preparing for development in this area.
- 49 • H Hansen expressed concerns about rezoning property with only a potential plan from the developer. If
50 the market study is not feasible, she has concerns that Ironwood will sell the property and then some
51 other developer could come in with a project of lesser quality.
- 52 • Craig Winder, Ironwood Development, felt this was a hypothetical question. Ironwood Development has a
53 very nice apartment complex planned for these parcels and they do not intend to sell the property.
- 54 • L Raymond explained to the audience why this is a concern for the Planning Commission. They do not
55 want to grant a rezone and then have the developer pull out.

- R James asked if the Planning Commission would be more or less concerned if this were a single family rezone.
- H Hansen said her concern is the density.
- R James asked if the concern is then about the current residential impact, infrastructure, the school or the type of rezone and what development will come in?
- H Hansen said her main concern is the effect on the neighborhood. She feels if the market study is not feasible, Ironwood will pull out of the deal after it is rezoned. She would like the rezone to be conditional to the market study and Ironwood's response to the market study.
- S Bankhead clarified that the Planning Commission is willing recommend the rezone, but the rezone would depend upon whether or not Ironwood decides to move forward after the market study is done.
- C Winder asked if there would be a deadline on that decision.
- H Hansen didn't feel there needed to be a deadline, but she wants assurances that Ironwood will not pull out of the deal. That is why she wants the rezone dependent upon the outcome of the market study.
- C Winder said he has a concern about time restrictions. They need to keep the project moving forward. Sewer and water were the concerns in the last public hearing. The City engineer and the public works director have said in this meeting that water and sewer are not an issue. We are just asking for Planning Commission to make a recommendation to the City Council.
- R James said restrictions on unknowns could be a big concern. He feels like the job of Planning Commission is to decide how the City develops.
- C Winder said this is only the first step. The City Council has to approve the rezone, and then we still have to go through the entire plat process.
- R James said spot rezoning can change the intent of the City plan. The City's needs have to be considered.
- C Winder reminded the Planning Commission that City staff and the mayor have recommended this rezone be approved.
- S Bankhead said City staff would like to see mixed use, but the developer does not feel mixed use would be a profitable venture and the City does not want a project that will not be successful. City staff prefers mixed use or MFH.
- R James said if the City plan was for mixed use and then one developer has a plan to change that, is that in the best interest of the City?
- C Winder said if they felt mixed use was the best option for the City, they would fully support that, but they feel roof tops are the most beneficial. There is a vibrant commercial and professional zone just north of this development. Roof tops will feed those businesses. That is why they are pushing for multi-family.
- David Brand said the other concern brought up at the last meeting was the tax base that comes from commercial business and educational facilities for the growth. Commercial businesses can help support the educational needs.
- L Raymond said the tax base from commercial is not part of the concern tonight. That will have to be addressed differently. Ironwood is not interested in commercial/mixed use.
- C Winder said their hope was to support commercial business with roof tops.
- R James asked why the Planning Commission was planning on using this area as mixed use.
- H Hansen said this was intended as a transition zone from commercial to residential.
- R James commented that this complex could serve as a transition zone between commercial and residential. If the intent is to grow the City and increase population, he does not see a problem with high density housing on this property.

Motion to recommend the proposed rezone to City Council: R James, second – H Hansen

Vote: Yea: H Hansen, R James, L Raymond

Nay: None

Abstained: None

Excused: B Nielsen, W Simmons

- H Hansen commented to the developer that she felt the questions asked by the Planning Commission were answered in a manner that reflected some defensiveness. As members of the Planning Commission, they are trying to do their job. In the future, perhaps the developer could be more approachable.

Study Items:

Item No. 1. Rezone Request. The Providence City Planning Commission will discuss a request by Sierra Homes, LLC agent for Benstock LLC to rezone parcel no. 02-115-0022, generally located at 400 East 1100 South, from Agricultural (AGR) to Single-Family Medium (SFM).

- Matt Hansen, representative for Sierra Homes addressed the Planning Commission. He commented that Sierra Homes feels for the market, medium density would be a good option for this area. The concept is based on SFT, but SFM makes the homes more affordable.
- S Bankhead asked M Hansen if Sierra Homes is building some of the homes in Sunrise. He said they are.
- H Hansen asked for an average of the size of homes they build.
- M Hansen said between 1,400 and 1,700 sq ft. Client base is directed more toward moderate income families.
- L Raymond asked if there was a marketing plan.
- M Hansen said there is no marketing plan at this time, but he has been asked by the owner to develop one.
- H Hansen asked Rob Stapley if he could address water and sewer capacity for this area.
- R Stapley said this is zone 2 and has the most significant draw that affects storage capacity.
- M Pierce said the east end of it is in the lower part of zone 3, but most of it is in zone 2.
- R Stapley said the City needs to start planning for more storage for zone 2. Zone 3 is immediately affected from zone 2. During high demand periods the City takes out of zone 3 for zone 2.
- R James asked if additional storage tanks would be brought in or how would the storage issue be resolved.
- R Stapley said the North bench has the most potential for growth. The tank would need to be built to plan for the future and it would make the most sense to put the tank where the future well would be most convenient. Positioning it to fix zone 2 would be the ideal option. Sewer would not be an issue.
- H Hansen asked how big this development would be.
- M Hansen said 19 acres. About 30 homes would go into this development.
- S Bankhead said you would have to account for infrastructure being taken out. City staff will have a recommendation for Planning Commission before the public hearing; then a recommendation can be made to the City Council.
- R James what percent of a 19 acre parcel would be infrastructure.
- M Hansen said about 25%.
- R James felt it could easily be more than 30 homes. Nobody will know for sure until plans are presented to the City.
- H Hansen asked why the developer is asking for SFR rather than SFM.
- M Hansen said that was what the developer wanted.
- R James said SFE is booming. He feels there would be no issue selling SFT in this area.
- L Raymond read the email from the City asking why the developer wants SFM rather than SFT.
- M Hansen said SFT would be a nice project, but the developer feels SFM would be more appropriate.
- R James said there is plenty of space to build, the original concept was SFT plan; you can always build bigger. He felt SFM does not really match the area that is purely SFT and SFE zones.
- H Hansen said she likes the idea of a subdivision with smaller homes; it gives people the opportunity for upward mobility. She could do SFR, but SFM seems too dense.
- M Hansen said there are a lot of smaller lots in the area and SFM just gives more flexibility to the developer.
- H Hansen asked if the City has SFM.
- S Bankhead said there is a little bit. The Highlands are SFT, but they were able to do lot size averaging, so there are a few home in the highlands that are on smaller lots, not below 10,000, but some that are close to 11,000.
- Public hearing will be scheduled for next meeting.

Item No. 2. Proposed General Plan Amendments and Use Chart Uses: The Providence City Planning Commission will discuss possible amendments for the zoning element of the Providence City general plan; including the definitions for zoning districts.

SFM, SFH, SMH

- L Raymond asked why inner-block development is not allowed in SFR, SFM, SFH or SMH, but is allowed by condition in for SFE, SFL and SFT.
- S Bankhead said that in the downtown area inner block development is not allowed because the downtown requires 95 feet of frontage on a City street that existed prior to 2008. Residents were opposed to inner-block development in the downtown area, but in the newer subdivisions it makes sense

to allow flag lots and have a driveway that services double lots. Residents get concerned with people are building in their back yard. The City needs to consider emergency vehicle access, etc. That's why it is conditional. Inner block development needs to be studied; but should not hold up the amendments to the use chart for now.

- R James said they are allowed on those larger lots because there is room to allow for the emergency vehicles.
- H Hansen asked if planned unit development could go in SFM, SFJ and SMH.
- S Bankhead said it could. She asked the Commission to discuss conditional use for auto repair and general contractor yard and to define what they think general contractor yard implies. She feels it implies large equipment such as dump trucks, trailers, etc.
- H Hansen said landscaping or lawn mowing/maintenance type of business.
- R James felt general contractor referred to builder/construction types of businesses.
- S Bankhead suggested adding landscape/lawn maintenance to the use chart. She thinks general contractor could refer to big trucks, heavy equipment. Landscape maintenance will be allowed in all zones. Take general contractor yard out of SFT and SFR.
- R James said this needs to be permitted for home based businesses conditionally.
- There was discussion about the types of business that were being allowed in residential areas. Laura Fisher, Bob Bissland and Sharell Eames are not in favor of manufacture type businesses being allowed in residential neighborhoods. They all felt that even with conditional uses, it is difficult to enforce the CUP's once a business has outgrown a home business. They expressed concerns about noise, dust, light pollution, traffic, odors, etc., and encouraged the Planning Commission to use extreme care in what businesses can be allowed in residential neighborhoods.
- H Hansen asked how many home businesses are in Providence and how many cause problems each year.
- S Bankhead said there are about 175 businesses, and about two or three issues or concerns with them a year. Most of the complaints get resolved. However, if nobody complains and there are violations, the City really has no way of knowing.
- H Hansen said she feels property owners should be allowed to operate businesses in their own homes as long as the businesses do not create a nuisance to the neighborhood.
- S Bankhead will add a category for landscape/lawn maintenance business. She asked the Planning Commission if they wanted to create an SFT zone in the downtown area as an overlay (SFTDT).
- L Raymond said if we are going to add a landscape category, the Planning Commission needs to define it differently than that of a general contractor and decide which zones either can be allowed in.
- R James asked if allowing home based businesses are the norm or if the City is doing something outside the norm.
- S Bankhead said that can be researched for North Logan, Smithfield, etc. Home based businesses are a big deal in Providence. Cottage industry was here long before there was zoning. This could be the way Providence has developed.
- Multi-family zones and landscaping/lawn maintenance will be discussed at next meeting.

Item No. 3. Pending ordinance – Code Amendments to Providence City Code 10-6-1: The Providence City Planning Commission will consider code amendments to the Use Chart including but not limited to adding the words "counter top or" before the words "cabinet shop" in Item H. Industry and Manufacturing, Use 3.

Staff Reports: Any items presented by Providence City Staff will be presented as informational only.

Commission Reports: Items presented by the Commission Members will be presented as informational only; no formal action will be taken.

Motion to adjourn: H Hansen, second – R James

Vote: Yea: H Hansen, R James, L Raymond

Nay: None

Abstained: None

Excused: B Nielsen, W Simmons

Meeting adjourned at 8:10 pm.

Minutes recorded and prepared by C Craven.

Larry Raymond, Chairman

Caroline Craven, Secretary

Providence City Planning Commission Minutes

Providence City Office Building

15 South Main, Providence UT 84332

April 6, 2016 6:00 pm

Chairman: Larry Raymond

Attendance: Heather Hansen, Robert James

Excused: B Nielsen, W Simmons

Motion to approve minutes at the next meeting: H Hansen, second – R James

Vote: Yea: H Hansen, R James, L Raymond

Nay: None

Abstained: None

Excused: None

Approval of the Minutes:

Item No. 1. The Providence City Planning Commission will consider for approval the minutes of February 24, 2016.

Item No. 2. The Providence City Planning Commission will consider for approval the minutes of March 9, 2016.

Action Items:

Item No. 1. Preliminary Plat: The Providence City Planning Commission will consider for approval a preliminary plat for Little Baldy Place Subdivision; a 40-Lot residential subdivision located generally at 80 North Sherwood Drive; requested by Stan Checketts.

- Stan Checketts, owner/developer for Little Baldy Place Subdivision, addressed the commission and audience members. He feels his subdivision will be a benefit for Providence. Forrest Service, Cache County Trails, etc. have looked into the trail plan at the deer fence. His proposal was to bring the trail west of where it is currently situated, into his subdivision. However, he is working on a new trail plan which will go further up the mountain to the east side of the subdivision. Minimum lot size is about a half-acre. There are some that are smaller than 20,000 sf because of lot size averaging due to topography in the area; but none are smaller than 12,000 sf.
- Dayton Crites, Cache County trails planner, presented the newly proposed trail plan to the commission. His plan is to have a temporary corridor through the subdivision, until the newly proposed trail at the east side of the subdivision is built.
- S Bankhead explained that the plat could be approved with the condition that the proposed trail running through the subdivision remain open and maintained until the newly proposed trail east of the subdivision is built and can be used. That way Mr. Checketts can continue with the subdivision process. She also commented that she had received over 80 emails from people who are concerned about relocating the trail to the west side of the subdivision.
- R James asked about the easement or the agreement for the trail at the deer fence.
- S Bankhead said more than an easement, a precedence has been set for use of the trail in that area.
- D Macfarlane said he and Stan have been in contact with other property owners in that area. The plan is to have the existing alignment stay open until the newly proposed trail is constructed. Most of the land is private property, but some is owned publicly and by the school district.
- R James asked what the max current grade is on the trail.
- D Crites said about 25%. The current alignment has erosion issues, moving it up will make it a more sustainable alignment and lower costs to maintain.
- R James asked what the estimated maximum grade of the newly proposed trail would be.
- D Crites said about 5-8%. Primarily follows the contour lines. Easier trail to hike.
- H Hansen asked who currently pays for the maintenance of the trail.
- D Crites said the county pays some, very little, but mostly it is not maintained. The hope is that when the proposed trail is built, it will take a couple of days each year to keep it maintained. It will be done with volunteers.
- H Hansen asked about fire protection in the subdivision.
- D Macfarlane said the driveways will need to be 20' wide, hammerheads and turnarounds will also have to be built.
- L Raymond asked if the fault line will be verified in the final plat.
- D Macfarlane said the fault line has already been located by a professional geologist, but the city engineer disagrees with those findings. The city engineer and D Macfarlane will look at studies done by the university to see if they can get more information on the fault line location.
- S Bankhead said the concern is "approximate location" but the test holes were not done in the approximate location.

- D Macfarlane said the study showed no fault line below the deer fence. They used the current published USGS fault line map. Geologists have said there has not been movement in the last 13,000 years in that area. They will use all resources available to verify the fault line.
- S Checketts said all homes are far below the fault line.
- There were questions from audience members in regards to ingress/egress and connectivity, intersections, safe routes for children going to school, how many homes will be in the subdivision, how further development will be regulated, water pressure issues, trail maintenance and preservation of surrounding natural areas.
- L Raymond responded that the subdivision meets the criteria for the subdivision ordinance in regards to roads and that anyone who wants to bring new development to that area will have to follow the ordinance and go through the entire subdivision process in all its phases.
- H Hansen said that there are restrictions in these subdivisions according to zoning ordinances.
- S Bankhead said this subdivision currently has 38 homes that will be built, but that does not mean that more cannot be built in further phases or as new development comes to that area. Safe routes for children to go to school will be provided. It will start at Sherwood Drive and connect to 500 North.
- D Macfarlane said water studies have been done and there is good water pressure, even with the addition of this subdivision. Currently there are no streets to connect to, but the road built in the subdivision will have intersections built that comply with the ordinance.
- S Checketts commented that he intends to dedicate land for a new well up on the bench.
- S Bankhead commented that current ordinance is very restrictive on slopes, however, that could change with other councils. The city has also tried to protect slope areas and the city has worked closely with D Macfarlane and S Checketts to further preserve the natural beauty of the trail. As the trail moves into other municipalities, there is no way Providence can control what other communities will do with the trail and some parts of it move out of the jurisdiction of Providence City.
- H Hansen said that while Providence cannot control what other cities will do, Providence will set a precedent in protecting the trail and the surrounding slope areas.
- D Crites also said that the trail easement will be recorded with the county; it will become a public access trail.

Motion to approve the preliminary plat for Little Baldy Place Subdivision with the condition that the current Bonneville Shoreline Trail/deer fence trail remains accessible in its current location with a temporary easement that will be relinquished upon the trail being moved higher up the mountain (east) with the approval of the entities involved. Cost will not be borne by Providence City unless approved by the City Council: H Hansen, second – R James

Vote: Yea: L Raymond, R James, H Hansen
 Nay: None
 Abstained: None
 Excused: None

S Bankhead said there is no guarantee that the city council will approve those expenditures.

Staff Reports: Any items presented by Providence City Staff will be presented as informational only.

Commission Reports: Items presented by the Commission Members will be presented as informational only; no formal action will be taken.

No Staff Reports and no Commission Reports.

Motion to adjourn: R James, second – H Hansen

Vote: Yea: L Raymond, R James, H Hansen
 Nay: None
 Abstained: None
 Excused: None

Meeting adjourned at 7:10 pm.

Minutes recorded and prepared by C Craven.

Larry Raymond, Chairman

Caroline Craven



Providence City

15 South Main Street
Providence, UT 84332
(435) 752-9441 • Fax: (435) 753-1586

PROVIDENCE CITY PLANNING COMMISSION NOTICE OF PUBLIC HEARING

Project Type: Rezone Request

Applicant: Sierra Homes, LLC

Project Location/Description: Applicant is requesting a rezone from Agricultural (AGR) to Single-Family Medium (SFM) for Parcel No. 02-115-0022, an 18.81-acre parcel located at approximately 1100 South 400 East.

Hearing Date: April 13, 2016

Hearing Time: 6:00 PM

Hearing Location: Providence City Office Building, 15 South Main, Providence UT

Prior to making a recommendation on this rezone request, the Planning Commission is holding a public hearing. The purpose of the public hearing is to provide an opportunity for anyone interested to comment on the proposal before action is taken. The Planning Commission invites you to attend the hearing in order to offer your comments.

If you are disabled and/or need assistance to attend the public hearing, please call 752-9441 before 5:00 p.m. on the day of the meeting.

Thank you,

Skarlet Bankhead
City Administrator/Recorder

Newspaper Publication Date(s): 04/01/2016

Posting Date: 3/31/2016

Posting Locations:

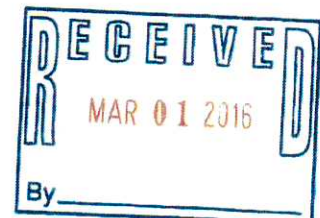
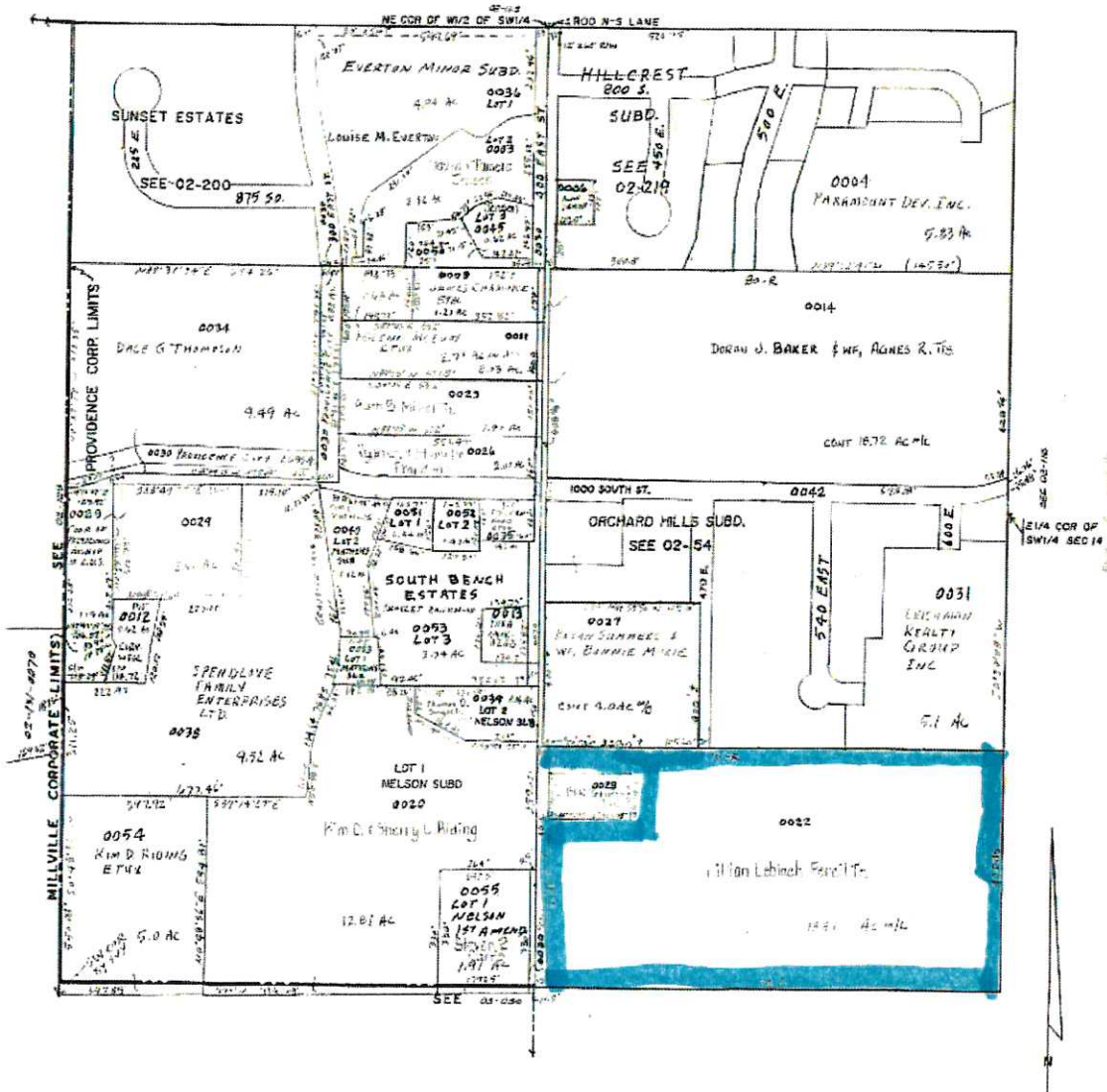
1. Providence City Office Building, 15 South Main
2. Providence City website www.providencacity.com
3. Utah Public Notice Website

SW⁴Section 14 Township 11 North Range 1 East

02-115

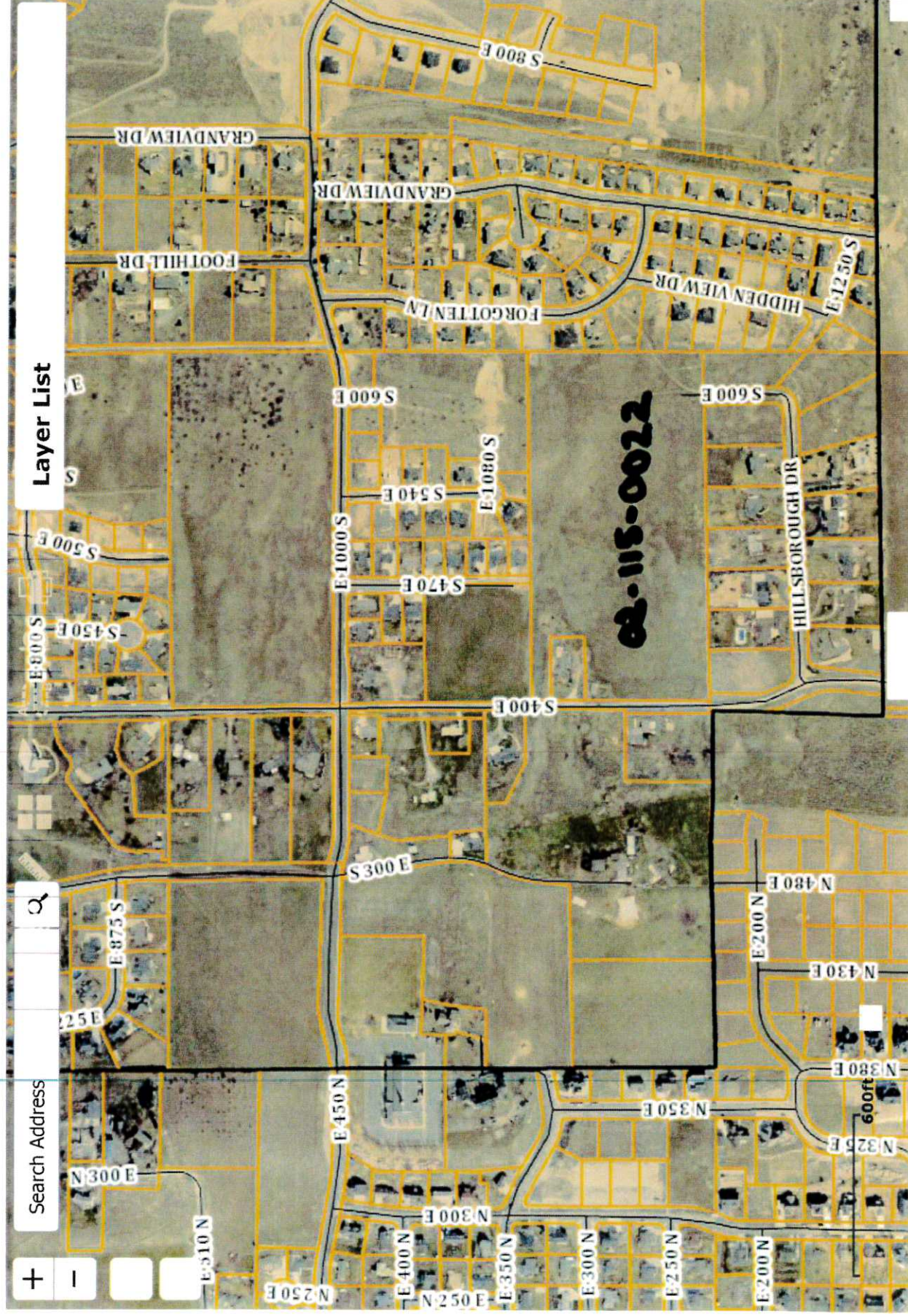
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TAX UNIT 09



Parcel & Zoning Viewer

clear web browsers cache if searches are not working



PROVIDENCE CITY
Executive Staff Report
Review Date: 03/08/2016

Request: Rezone an 18.81 acre parcel from Agricultural (AGR) to Single-Family Medium (SFM); located generally at 400 East 1100 South.

Item Type: Rezone	Applicant: Sierra Homes LLC, Matt Hansen Agent	Owner: Benstock, LLC
Prepared by: S Bankhead	General Plan: Single-Family Traditional (SFT)	Current Zone: AGR Requested Zone: SFM
Parcel ID #: 02-115-0022	Acres: 18.81	Number of Properties: 1

Staff Report Summary of Key Issues:

1. Providence City received an application for rezone for the above property on March 4, 2016.
2. The Providence City Master Plan Map Sheet No. 5-B Future Re-zone of Existing Districts indicates that this property will be zoned Single-Family Traditional.
3. SFM is not consistent with the General Plan for the area.
4. Executive Staff feels SFT is a more appropriate zone for this area.

FINDINGS OF FACT:

1. Providence City Code (PCC) 10-1-5:A. states changes and amendments to this Zoning Title shall be done in accordance with state law.
2. UCA § 10-9a-505(1)(a) The legislative body may divide the territory over which it has jurisdiction into zoning districts of a number, shape, and area that it considers appropriate to carry out the purposes of this chapter.
3. UCA § 10-9a-505(3)(a) There is no minimum area or diversity of ownership requirement for a zone designation. (b) Neither the size of a zoning district nor the number of landowners within the district may be used as evidence of the illegality of a zoning district or of the invalidity of a municipal decision.
4. UCA § 10-9a-102 Purposes -- General land use authority.
(1) The purposes of this chapter are to provide for the health, safety, and welfare, and promote the prosperity, improve the morals, peace and good order, comfort, convenience, and aesthetics of each municipality and its present and future inhabitants and businesses, to protect the tax base, to secure economy in governmental expenditures, to foster the state's agricultural and other industries, to protect both urban and nonurban development, to protect and ensure access to sunlight for solar energy devices, to provide fundamental fairness in land use regulation, and to protect property values.
(2) To accomplish the purposes of this chapter, municipalities may enact all ordinances, resolutions, and rules and may enter into other forms of land use controls and development agreements that they consider necessary or appropriate for the use and development of land within the municipality, including ordinances, resolutions, rules, restrictive covenants, easements, and development agreements governing uses, density, open spaces, structures, buildings, energy efficiency, light and air, air quality, transportation and public or alternative transportation, infrastructure, street and building orientation and width requirements, public facilities, fundamental fairness in land use regulation, considerations of surrounding land uses and the balance of the foregoing purposes with a landowner's private property interests, height and location of vegetation, trees, and landscaping, unless expressly prohibited by law.
5. UCA § 10-9a-501 states the legislative body may enact land use ordinances and a zoning map consistent with the purposes set forth in in this chapter.
6. UCA § 10-9a-502 Requires the planning commission provide notice and hold a public hearing on a

proposed land use ordinance or zoning map; and prepare and recommend to the legislative body a proposed land use ordinance and zoning map that represent the planning commission's recommendation.

7. UCA 10-9a-503.(1) The legislative body may amend: (b) any regulation of or within the zoning district; or (c) any other provision of a land use ordinance.

CONCLUSIONS OF LAW:

1. The proposed rezone has been processed consistent with the above Findings of Fact.

CONDITIONS:

1. That the Applicant continues to follow all applicable laws, codes, policies, etc.

RECOMMENDATION:

That the Providence City Planning Commission make a recommendation to the Providence City Council, that they adopt an ordinance rezoning the property from Agricultural to Single-Family Traditional.

PROVIDENCE CITY LAND USE APPLICATION

15 South Main * Providence UT 84332

435-752-9441 * Fax: 435-753-1586 * email: sbankhead@providence.utah.gov

Please note that each request has a checklist which specifies what information is required in order for your application to be complete and ready for processing. Please check the appropriate box for your type of application. Check only one box. Each application type requires a separate application. If you have questions, please ask.

INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED.

Development Review Committee, and/or Planning Commission, and/or City Council		
Annexation	Exception to Title	Rezone <input checked="" type="checkbox"/>
Code Amendment	Final Plat	Right-of-way Vacation
Concept Plan	General Plan Amendment	Site Plan
Conditional Use	Preliminary Plat	
Appeal Authority		
Appeal		Variance

PLEASE NOTE: FILING FEES DO NOT INCLUDE PROFESSIONAL FIRM FEES.
THESE WILL BE BILLED SEPARATELY.

Applicant's Name: <u>SIERRA HOMES, LLC</u>	
Address: <u>470 N 2450 W TREMONTON, UT 84337</u>	
Phone(s): <u>435-267-4963</u> Fax:	E-Mail: <u>matth@sierrahomes.com</u>

Party Responsible for Payment: <u>BENSTOCK, LLC</u>	
Billing Address: <u>470 N 2450 W TREMONTON UT 84337</u>	
Phone(s): <u>435-267-4963</u> Fax:	E-Mail: <u>buckette@sierrahomes.com</u>

Property Owner's Name (how it appears on a legal document): <u>BENSTOCK, LLC</u>	
Address: <u>470 N 2450 W TREMONTON, UT 84337</u>	
Phone(s):	Fax: E-Mail:

Architect/Engineer/Surveyor's Name: <u>ALLIANCE EMB.</u>	
Address: <u>150 E 200 N LOGAN, UT 84321</u>	
Phone(s): <u>435-755-5121</u> Fax:	E-Mail: <u>alliance@loganam@yahoo.com</u>

Cache County Property Number(s):	
Total Acreage: <u>18.81</u>	Project Name: <u>02-115-0022 (No Name Yet)</u>
City Address of Project (if applicable): <u>400 E 1100 S. Approx</u>	

I declare under penalty of perjury that I am the owner or authorized agent for the property which is the subject of application, and that the statements, answers, and documents submitted in connection with this application are true and correct to the best of my knowledge.

Signature of Applicant: [Signature]

Date: 2/24/2016

Do not complete below this line, for office use only.

Application Fee:
General Plan:
Zone:

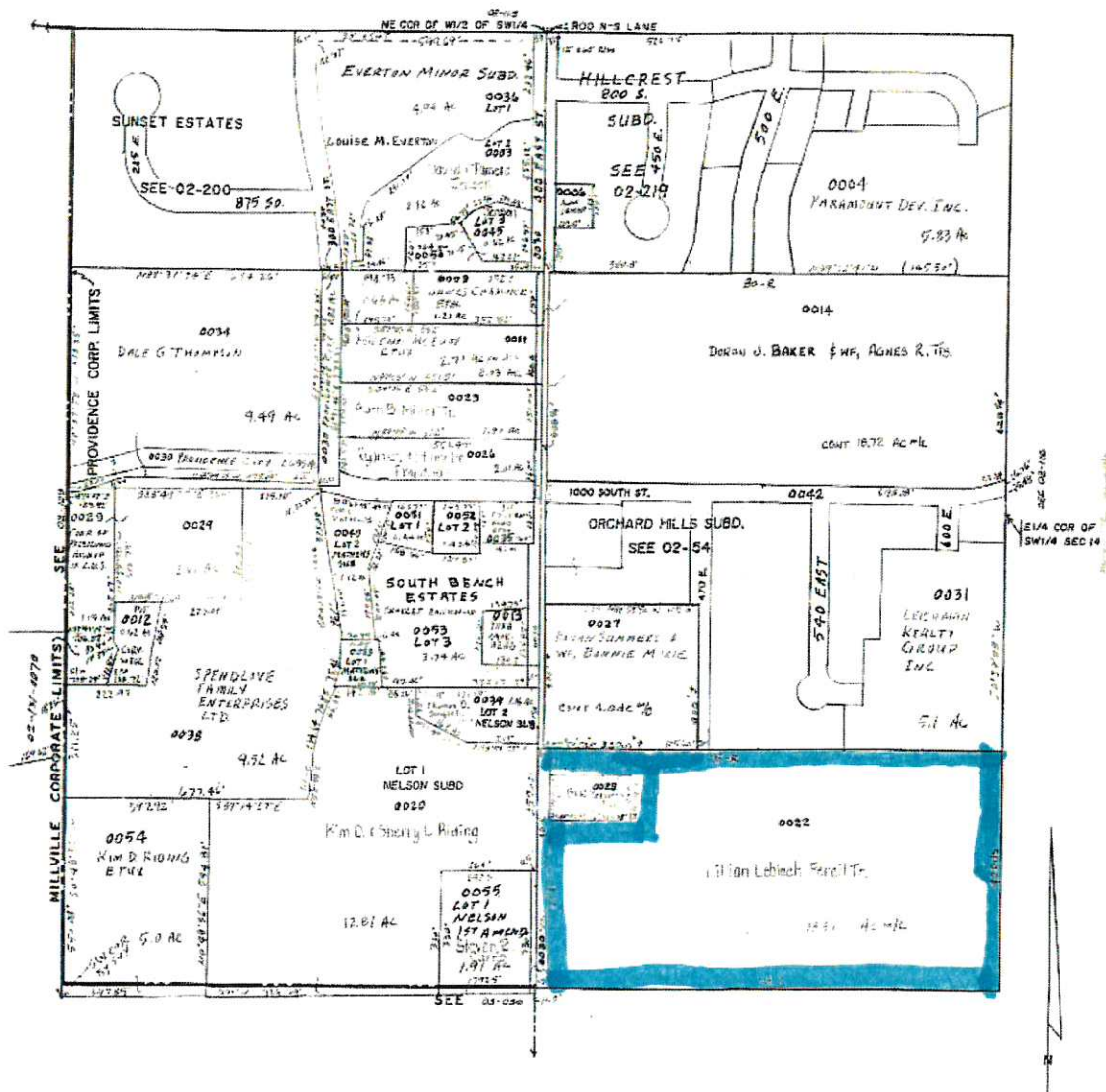
Receipt Number:
Received By:
Date Stamp:

SW⁴Section 14 Township 11 North Range 1 East

02-115

Scale 1 Inch = 200 FEET

TAX UNIT 09



Property Address 1039 S 0400 E

03-036-0008

Owner Name CELCO INC

Owner Address 1241 S HIDDEN VIEW DR

Owner City State Zip PROVIDENCE, UT 84332

03-036-0002

Owner Name KNOWLES DEVELOPMENT LLC

Owner Address PO BOX 306

Owner City State Zip MILLVILLE, UT 84326-0306

03-036-0009

Owner Name DORAN J & KATHY R TRS BAKER

Owner Address PO BOX 219

Owner City State Zip PROVIDENCE, UT 84332-0219

03-036-0011

Owner Name CELCO INC

Owner Address 1241 S HIDDEN VIEW DR

Owner City State Zip PROVIDENCE, UT 84332

02-115-0014

Owner Name DORAN J & KATHY R TRS BAKER

Owner Address PO BOX 219

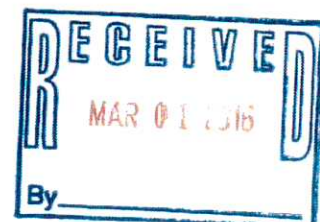
Owner City State Zip PROVIDENCE, UT 84332-0219

02-115-0038

Owner Name SPENDLOVE FAMILY ENTERPRISES LTD

Owner Address 1572 E 1540 N

Owner City State Zip LOGAN, UT 84341-2979



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Owner City State Zip PROVIDENCE, UT 84332

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Owner Address PO BOX 219

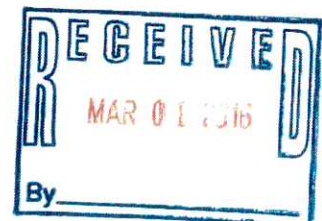
Owner City State Zip PROVIDENCE, UT 84332-0219

02-115-0038

Owner Name SPENDLOVE FAMILY ENTERPRISES LTD

Owner Address 1572 E 1540 N

Owner City State Zip LOGAN, UT 84341-2979



Owner Address 634 W 7150 S

Owner City State Zip WILLARD, UT 84340-6739

02-115-0055

Owner Name STEVEN B TR CURTIS

Owner Address 1195 S 400 E

Owner City State Zip PROVIDENCE, UT 84332-9411

Large land Parcels

02-115-0027

Owner Name BRYAN & BONNIE MARIE SUMMERS

Owner Address 90 N 200 E

Owner City State Zip HYRUM, UT 84319-1342

02-115-0031

Owner Name B & C LAND DEVELOPMENT LLC

Owner Address 586 E 170 S

Owner City State Zip LOGAN, UT 84321-5371

02-115-0020

Owner Name SPENDLOVE FAMILY ENTERPRISES LTD

Owner Address 1572 E 1540 N

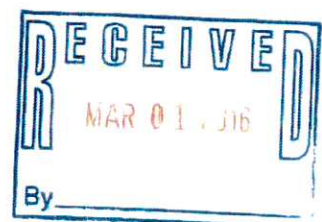
Owner City State Zip LOGAN, UT 84341-2979

02-115-0053

Owner Name SKARLET M BANKHEAD

Owner Address 1039 S 400 E

Owner City State Zip PROVIDENCE, UT 84332-9461



Owner Name SHERIDAN L & AMBER PECK

Owner Address 1143 FORGOTTEN LANE

Owner City State Zip PROVIDENCE, UT 84332-9318

02-203-0007

Owner Name JON R & TONYA BRENCHLEY

Owner Address 1127 FORGOTTEN LANE

Owner City State Zip PROVIDENCE, UT 84332-9318

02-203-0006

Owner Name ERICA A & DAVID G LOW

Owner Address 1113 FORGOTTEN LANE

Owner City State Zip PROVIDENCE, UT 84332

02-154-0021

Owner Name B & C LAND DEVELOPMENT LLC

Owner Address 586 E 170 S

Owner City State Zip LOGAN, UT 84321-5371

02-154-0020

Owner Name MICHAEL & MELINDA DESIMONE

Owner Address 1093 S 540 E

Owner City State Zip PROVIDENCE, UT 84332

02-154-0013

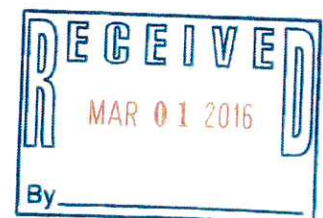
Owner Name ROBERT & AUBREY KEKAUOHA

Owner Address 1106 S 470 E

Owner City State Zip PROVIDENCE, UT 84332

02-115-0028

Owner Name BFR SERVICES LLC



03-143-0007

Owner Name GAURTH AND JOYCE THOMPSON FAMILY LTD PTSHP

Owner Address 515 EDGEHILL DR

Owner City State Zip PROVIDENCE, UT 84332-9446

03-143-0008

Owner Name GAURTH AND JOYCE THOMPSON FAMILY LTD PTSHP

Owner Address 515 EDGEHILL DR

Owner City State Zip PROVIDENCE, UT 84332-9446

02-203-0012

Owner Name KALLE & MISTY M JOHNSON

Owner Address 1213 S HIDDEN VIEW DR

Owner City State Zip PROVIDENCE, UT 84332

02-203-0011

Owner Name BRADY J & YAMEL KNOWLES

Owner Address 1197 S HIDDEN VIEW DR

Owner City State Zip PROVIDENCE, UT 84332

02-203-0010

Owner Name CORWIN J CARD

Owner Address 371 W 3575 S

Owner City State Zip NIBLEY, UT 84321

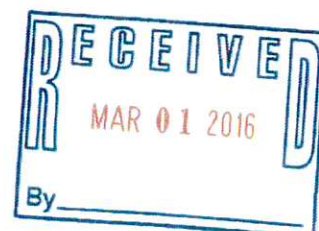
02-203-0009

Owner Name DAVID L & CHRISTINE CLARK

Owner Address 1164 FORGOTTEN LANE

Owner City State Zip PROVIDENCE, UT 84332

02-203-0008



03-143-0001

Owner Name GAURTH AND JOYCE THOMPSON FAMILY LTD PTSHP

Owner Address 515 EDGEHILL DR

Owner City State Zip PROVIDENCE, UT 84332-9446

03-143-0002

Owner Name G TODD & CECILI CRANDALL

Owner Address 435 HILLSBOROUGH DR

Owner City State Zip PROVIDENCE, UT 84332-9481

03-143-0003

Owner Name RYAN J & JENNIFER K STOLWORTHY

Owner Address 459 HILLSBOROUGH DR

Owner City State Zip PROVIDENCE, UT 84332-9481

03-143-0004

Owner Name GEORGE B & MARY ANN C BERSONNET

Owner Address 481 HILLSBOROUGH DR

Owner City State Zip PROVIDENCE, UT 84332-9481

03-143-0005

Owner Name TERRY & WENDI E NAYLOR

Owner Address 503 HILLSBOROUGH DR

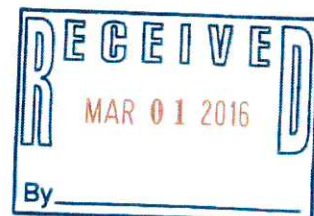
Owner City State Zip PROVIDENCE, UT 84332-9481

03-143-0006

Owner Name DENNIS B & DEBRA A TRS PARRY

Owner Address 537 HILLSBOROUGH

Owner City State Zip PROVIDENCE, UT 84332-948



Affected Entity List:

Cache County: 179 N Main St, Logan, Utah 84321 435-755-1850

Rocky Mountain Power: 780 N. Main, Smithfield, Utah 84335 435-563-29534

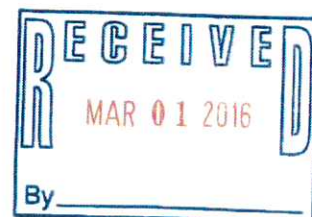
Questar: 895 w 800 n Logan, UT 84321 435-752-7751

Centurylink: 431 26th ST - RM 209 Ogden, UT 84401 (801) 626-5003

Cache County School District: 2063 North 1200 East North Logan, UT 84341, Phone: (435) 752-3925

Cache County Sherriff: 1225 West Valley View (200 North), Logan, UT 84321 Phone:(435) 755-1000

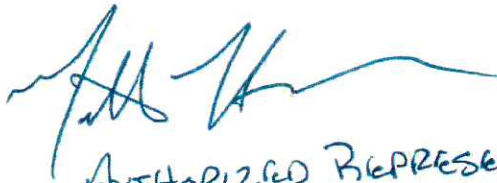
Cache County Fire: 179 North Main St. Suite 309 Logan UT, 84321 (435) 755-167



3-1-16

PERMISSION FOR REZONE:

I MATT HANSEN AUTHORIZE THE
REZONE OF 02-115-0022 OWNED BY
BENSTOCK LLC.



AUTHORIZED REPRESENTATIVE
BENSTOCK, LLC



To Providence City:

We at Benstock, LLC, the current owners of the property, are requesting a rezoning of our property. Our goal in rezoning the property is to have a comparable zoning to our neighbors, an increase in property value and to be better prepared for future development.

Thank you for your consideration and we look forward to working with you.

Benstock, LLC





Skarlet Bankhead <sbankhead@providence.utah.gov>

Fwd: Rezoning Application for 400 East 1100 South (Bentley Estates)

1 message

Bonnie Fuhriman <bfuhriman@providence.utah.gov>
To: "Bankhead, Skarlet" <sbankhead@providence.utah.gov>

Fri, Mar 4, 2016 at 10:20 AM

----- Forwarded message -----

From: **Matt Hansen** <matt@sierrahomes.com>
Date: Fri, Mar 4, 2016 at 9:42 AM
Subject: Re: Rezoning Application for 400 East 1100 South (Bentley Estates)
To: Bonnie Fuhriman <bfuhriman@providence.utah.gov>

Thank you for checking. If we are able to get a higher density, we would change the concept / idea of the project.

Matt

Matt Hansen

Project Manager

Text/ Call 801-608-1719

www.sierrahomes.com



On Fri, Mar 4, 2016 at 9:41 AM, Bonnie Fuhriman <bfuhriman@providence.utah.gov> wrote:

Matt,

The concept plan you submitted does not match SFM - 8000. It is more in line with SFT-12,000. I just wanted to double check and make sure that it was indeed SFM - 8000 you were requesting.

Thanks,
Bonnie

On Thu, Mar 3, 2016 at 4:27 PM, Matt Hansen <matt@sierrahomes.com> wrote:

Bonnie.. thank you for bringing that to my attention.





Looking at the zoning options in the city code we are requesting a change of zoning from the current agricultural zone to the SFM - 8000 zone.

Thank you.

Matt

Matt Hansen

**Cache County
Tax Roll Report
Parcel Number: 02-115-0022**

Taxpayer Name & Address Parcel: <u>02-115-0022</u> Entry: <u>1136247</u>  Name: <u>BENSTOCK LLC.</u> Address 1: <u>1100 S 400 E</u> City, State, Zip: <u>PROVIDENCE, UT 84332</u> District: <u>009 PROVIDENCE CITY</u>	Owners 1. <u>BENSTOCK LLC.</u> <div style="display: flex; align-items: center;"> <div style="border: 1px solid black; padding: 2px; margin-right: 5px;">1136247</div> <div>(1872/227)</div> </div>																										
Property Address Property Address: Property City: Tax Rate: 0.01201																											
<p>Pursuant to state statute, the Assessor's Office does not complete adjustments to the Tax Rolls until May 21, 2016. Please be aware that any values for the Tax Year 2016 may change until that date.</p>																											
Property Information <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th colspan="2">----- 2016 -----</th> <th colspan="2">----- 2015 -----</th> </tr> <tr> <th></th> <th>ACRES</th> <th>MARKET TAXABLE</th> <th>MARKET TAXABLE</th> <th></th> </tr> </thead> <tbody> <tr> <td>LV - LAND VACANT</td> <td style="text-align: center;">18.81</td> <td style="text-align: right;">846,450</td> <td style="text-align: right;">846,450</td> <td style="text-align: right;">846,450</td> </tr> <tr> <td>TOTALS</td> <td style="text-align: center;">18.81</td> <td style="text-align: right;">846,450</td> <td style="text-align: right;">846,450</td> <td style="text-align: right;">846,450</td> </tr> </tbody> </table>			----- 2016 -----		----- 2015 -----			ACRES	MARKET TAXABLE	MARKET TAXABLE		LV - LAND VACANT	18.81	846,450	846,450	846,450	TOTALS	18.81	846,450	846,450	846,450						
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LV - LAND VACANT	18.81	846,450	846,450	846,450																							
TOTALS	18.81	846,450	846,450	846,450																							
Building & Tax Information <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%;">Square Footage:</td> <td style="width: 10%; text-align: center;">0</td> <td style="width: 20%;">2015 Taxes:</td> <td style="width: 20%; text-align: right;">\$10,165.86</td> <td rowspan="5" style="width: 30%; text-align: center; vertical-align: middle;">  </td> </tr> <tr> <td>Year Built:</td> <td style="text-align: center;">0</td> <td>2016 Taxes:</td> <td style="text-align: right;">\$10,165.86</td> </tr> <tr> <td>Building Type:</td> <td></td> <td>Special Tax:</td> <td style="text-align: right;">\$0.00</td> </tr> <tr> <td></td> <td></td> <td>Abatements:</td> <td style="text-align: right;">\$0.00</td> </tr> <tr> <td></td> <td></td> <td>Payments:</td> <td style="text-align: right;">\$0.00</td> </tr> <tr> <td></td> <td></td> <td>Balance Due:</td> <td style="text-align: right;">\$10,165.86</td> <td></td> </tr> </table>		Square Footage:	0	2015 Taxes:	\$10,165.86		Year Built:	0	2016 Taxes:	\$10,165.86	Building Type:		Special Tax:	\$0.00			Abatements:	\$0.00			Payments:	\$0.00			Balance Due:	\$10,165.86	
Square Footage:	0	2015 Taxes:	\$10,165.86																								
Year Built:	0	2016 Taxes:	\$10,165.86																								
Building Type:		Special Tax:	\$0.00																								
		Abatements:	\$0.00																								
		Payments:	\$0.00																								
		Balance Due:	\$10,165.86																								
Parcel History REM/COM W/02-115-0021 REM 9/90-0030 STREET																											
Legal Description ----- 2016 ----- BEG SE COR OF SW/4 SEC 14 T 11N R 1E & TH N 40 RDS TH W 78 RDS TH S 72.5 FT TH N 88°32'39" E 232.558 FT TH S 0°47'12" E 129 FT TH S 88°32'35" W 232.558 FT TO PT 33 FT E OF 1/4 SEC LN S 458.5 FT TO S LN OF SD SEC TH E 78 RDS TO BEG CONT 18.81 AC M/L																											
** No Greenbelt Information **																											
** No Back Tax Owing **																											

clear web browsers cache if searches are not working



Multi-Family Residential Density:

The proposed policy definition contains the following statement: "The district is appropriate in areas where the applicable master plan policies recommend . . ."

Instead of saying *where the applicable master plan policies recommend*, would you consider something like: areas compatible with the rural environment and recreation potential of the City. Encourage such areas to be located and designed to be complementary to adjacent activities and at the same time provide suitable housing for those who prefer and/or need multiple-family living quarters.

General Plan Policy: established to provide an environment suitable for a variety of housing types of a low density nature, including single-family, two-family, and multi-family dwellings. The district is appropriate in areas **compatible with the rural environment and recreation potential of the City. Encourage such areas to be located and designed to be complementary to adjacent activities and at the same time provide suitable housing for those who prefer and/or need multiple-family living quarters.**

Area Requirements:

Min. lot area, square feet	10,000	*See subsection 10-8-3:B.5 of this Chapter for further regulation and explanation.
Min. lot width (measured at setback line)	80	
Min. lot area increase ea. add'l unit, square feet		
Max. unites / ac excluding ROW, infrastructure^	7.25	
Max. lot area per ea. twin home, square feet^^	5,000	
Min. lot width, each unit (measured at setback line)	40.0'	
		**See subsection 10-8-3:B.9 of this Chapter for further regulation and explanation.
Setbacks		
Principal uses		
Front yard, ft.	25	***See subsection 10-8-3:C.7 of this Chapter for further regulation and explanation.
Side yard, interior	10**	
Side yard, Street (OM 33-2004)	20**	
Rear yard	20***	##See subsection 10-8-3:C.2, C.3, C.4 of this Chapter for further regulation and explanation.
Detached Accessory Uses		
Front yard, ft.	25	###See subsection 10-8-3:B.10 of this Chapter for further regulation and explanation.
Side yard, interior	5	
Side yard, street	20	
Rear yard	5	^Infrastructure is defined to include rights-of-way, PUB and REC districts within development.
Distance between residential structures on same lot		
		^^Lots of record for twin homes are limited to 20% of total lots in development.
Height		
Principal Use, Max. hgt. ft.	35	
Accessory Use, ft. max.	35	^^^Principal Uses are allowed a combination front and rear yard setback totaling at least 50 feet, with a minimum front or rear yard setback of 20 feet.
Principal Use, ft. min.	10	
Fences – non-game (max. height)		^^^^See subsection 10-9-2
Front yard, ft.	6^^^^	
Side yard, interior	8^^^^	
Side yard, street	20**	

Rear yard	20***	
Fences – game	10,000	
Front yard, ft.	80	
Side yard, interior		
Side yard, street	7.25	
Rear yard	5,000	
	40.0'	

Multi-Family Residential Density				
A.	Residential Uses			
1	Single family, detached	P	P = permitted use C = conditional use permit required X = special review required = not permitted (absence of symbol)	
2	Single family, attached	P		
3	Dwelling, two family	P		
4	Dwelling, three family	P		
5	Dwelling, four family	P		
6	Dwelling, multi-family			
7	Manufactured/modular	P		
8	Mobile/trailer home			
9	Secondary residential structure (OM 005-2005 01/13/04)			
10	Cluster development	C		
11	Inner block development			
12	Planned Unit Development	C		
13	Bed & Breakfast			
14	Hotel/motel			
15	Lodging house	C		
16	Residence for persons with disabilities	P		
17	Residential facility for the aged	P		
B.	Accessory/Incidental Uses			
1	Accessory building	P	^Use is allowed as a permitted or conditional use only if it is a home business, child care business or nonconforming business that complies with Title 3, Chapter 4 of this Code, Conditional Businesses ^^Must conform to Title 5 Chapter 1 of this Code, Animal Regulation and Control.	
2	Accessory dwelling unit			
3	Accessory farm building			
4	Off street parking incidental to main use	P		
5	Private swimming pool	P		
C.	Governmental/Institutional/Special Services			
1	Church	P		
2	Ministers, rabbis, priests, and other similar ordained religious work	P^		
3	Community center	P		
4	Day care nursery	C^		
5	Preschool	C^		
6	Public Park	P		
	Private Lessons / public facility			
7	Public School (OM 020-2004)	P		
8	Public building	P		
D.	Utility and Related Service			
1	Electric substation			
2	Electric power plant			
3	Fire station	P		
4	Gas meter station	P		
5	Irrigation supply	P		
6	Utility distribution lines	P		
7	Radio/TV/cellular tower			
8	Sewage/water pumping station	P		

Multi-Family Residential Density		
9	Telephone utilities	P
10	Public utilities, other	P
11	Utility shop, storage and bldgs	P
12	Water treatment plant	P
13	Water well reservoir or storage tank	P
E.	Professional Services	
1	Business office, medium impact	C^
2	Business office, low impact	P^
3	Business office, general	
4	Clinic, dental	
5	Clinic, medical	
6	Clinical Social Worker	
7	Office for single physician, dentist, or chiropractor	C^
8	Licensed professional	C^
9	Mortuary	C^
10	Optical shop	C^
11	Pharmacy	C^
12	Private school, teaching, tutoring(1 or 2 students at a time)	C^
13	Private school, teaching	C^
14	Studio: Art, Dance, Drama, Photography, etc (1 or 2 students at a time)	C^
15	Studio: Art, Dance, Drama, Photography, etc and tutoring	C^
13	Dressmakers, seamstresses, tailors, upholsters, and related occupations	C^
14	Artists, artisans, craftsman, sculptors, authors, small crafts and handcrafts, and related artistic work	C^
15	Veterinarian^	C^
F.	Retail/Related Uses	
1	Adult oriented business	
2	Food preparation, catering, etc	C^
3	Bakery/Confectionery sales	C^
4	Barber/beauty shop	C^
5	Book/Stationery Store	
6	Computer Store	
7	Department store	
8	Florist Store	
9	Furniture Store	
10	Specialty Store/Shop	C^
11	Grocery store	C^
12	Hardware store	
13	Home & Garden store	
14	Laundry/dry cleaning store	
15	Laundry Services	C^
16	Liquor store (OM 015-2004)	
17	Music Store	
18	Paint Store	
19	Pet Grooming	C^
20	Pet Store	
21	Restaurant/fast food	
22	Shoe repair	C^
23	Small appliance repair	C^
24	Variety Store	
25	Commercial complex	
26	Shopping center	
27	Tire sales, retail (OM 001-002, 02/27/01)	
28	Yard sales on an occasional basis	P^
G.	Commercial/Related Uses	
1	Auto Sales – New & Used (OM 016-2004 05/11/04)	

Multi-Family Residential Density		
2	Auto Sales –Used (OM 016-2004 05/11/04)	
3	Auto wash	
4	Bank/financial	
5	^^^Nondepository Financial Institutions	
6	Building materials	
7	Dance hall	
8	Gasoline/petroleum storage (not bulk)	
9	Gasoline sales/service	
10	Fitness Center Commercial (Gym)	
11	Convenience store	
12	Night club	
13	Print shop/sales	
14	Recreation/Entertainment	
15	Research facilities	
16	Theater	
17	Vehicle storage	
H.	Industry and Manufacturing	
1	Auto repair, paint and body shop	
2	Paint and body shop	
3	Bldg maintenance & repair services	
4	Cabinet Shop	
5	Counter top shop	
6	Clothing Manufacturer	
7	Furniture Manufacturer	
8	General contractor yard	
9	Landscape / lawn maintenance	
10	HVAC shop/sales	
11	Ice cream plant	
12	Lumber yard	
13	Paint Shop	
14	Welding/machine Shop	
15	Wholesale outlet/storage and sales	
16	Light Manufacturing	
17	Motorcycle, Snowmobile, ATV, etc repair	
I.	Agriculture and Related Uses	
1	Beekeeping 4 or less colonies	P^^
1A	Beekeeping More than 4 colonies	C^^
2	Breeding or raising animals for sale, food, pleasure, or profit	
3	Keeping dogs, cats, fish, or exotic caged birds	P^^
4	Commercial crop production	
5	Dairy business	
6	Feed lot	
7	Gardens and orchards for home use	P
8	Ranch/farm production and operation	
9	Garden and greenhouse plants and produce for wholesale or retail sales OM 007-2006 05/23/2006	
10	Gasoline/petroleum storage (not bulk)	

Multi-Family Medium Density:

The proposed policy statement contains the following statement: "The district is appropriate in areas where the applicable master plan policies recommend . . ."

Instead of saying *where the applicable master plan policies recommend*, would you consider something like: that provide a sense of community, a variety of housing types, and establish a pedestrian friendly atmosphere.

General Plan Policy: established to provide an environment suitable for a variety of moderate density housing types, including single-family, two-family, and four-family dwellings. The district is appropriate in areas **that provide a sense of community, a variety of housing types, and establish a pedestrian friendly atmosphere.**

Area Requirements:

Min. lot area, square feet		*See subsection 10-8-3:B.5 of this Chapter for further regulation and explanation.
Min. lot width (measured at setback line)		
Min. lot area increase ea. add'l unit, square feet		
Max. units / ac excluding ROW, infrastructure^	12	
Max. lot area per ea. twin home, square feet^^		
Min. lot width, each unit (measured at setback line)		**See subsection 10-8-3:B.9 of this Chapter for further regulation and explanation.
Setbacks		***See subsection 10-8-3:C.7 of this Chapter for further regulation and explanation.
Principal uses		
Front yard, ft.	25	
Side yard, interior	10**	
Side yard, Street (OM 33-2004)	20**	
Rear yard	10***	##See subsection 10-8-3:C.2, C.3, C.4 of this Chapter for further regulation and explanation.
Detached Accessory Uses		###See subsection 10-8-3:B.10 of this Chapter for further regulation and explanation.
Front yard, ft.	25	
Side yard, interior	5	
Side yard, street	20	
Rear yard	5	
		^Infrastructure is defined to include rights-of-way, PUB and REC districts within development.
Distance between residential structures on same lot		^^Lots of record for twin homes are limited to 20% of total lots in development.
Height		^^^Principal Uses are allowed a combination front and rear yard setback totaling at least 50 feet, with a minimum front or rear yard setback of 20 feet.
Principal Use, Max. hgt. ft.	IBC 35	
Accessory Use, ft. max.	IBC 35	
Principal Use, ft. min.	10	
Fences – non-game (max. height)		^^^^See subsection 10-9-2
Front yard, ft.	6^^^^	
Side yard, interior	8^^^^	
Side yard, street	20**	
Rear yard	10***	
Fences – game		

Front yard, ft.		
Side yard, interior		
Side yard, street	12	
Rear yard		

Multi-Family Medium Density			
A.	Residential Uses		P = permitted use C = conditional use permit required X = special review required = not permitted (absence of symbol)
1	Single family, detached		
2	Single family, attached	P	
3	Dwelling, two family	P	
4	Dwelling, three family	P	
5	Dwelling, four family	P	
6	Dwelling, multi-family		
7	Manufactured/modular	P	
8	Mobile/trailer home		
9	Secondary residential structure (OM 005-2005 01/13/04)		
10	Cluster development	C	
11	Inner block development		
12	Planned Unit Development	P	
13	Bed & Breakfast		
14	Hotel/motel		
15	Lodging house	C	
16	Residence for persons with disabilities	P	
17	Residential facility for the aged	P	
B.	Accessory/Incidental Uses		^Use is allowed as a permitted or conditional use only if it is a home business, child care business or nonconforming business that complies with Title 3, Chapter 4 of this Code, Conditional Businesses ^^Must conform to Title 5 Chapter 1 of this Code, Animal Regulation and Control.
1	Accessory building	P	
2	Accessory dwelling unit		
3	Accessory farm building		
4	Off street parking incidental to main use	P	
5	Private swimming pool	P	
C.	Governmental/Institutional/Special Services		
1	Church	P	
2	Ministers, rabbis, priests, and other similar ordained religious work	P^	
3	Community center	P	
4	Day care nursery	C^	
5	Preschool	C^	
6	Public Park	P	
	Private Lessons / public facility		
7	Public School (OM 020-2004)	P	
8	Public building	P	
D.	Utility and Related Service		
1	Electric substation		
2	Electric power plant		
3	Fire station	P	
4	Gas meter station	P	
5	Irrigation supply	P	
6	Utility distribution lines	P	
7	Radio/TV/cellular tower		
8	Sewage/water pumping station	P	
9	Telephone utilities	P	
10	Public utilities, other	P	
11	Utility shop, storage and bldgs	P	
12	Water treatment plant	P	

Multi-Family Medium Density		
13	Water well reservoir or storage tank	P
E.	Professional Services	
1	Business office, medium impact	C^
2	Business office, low impact	P^
3	Business office, general	
4	Clinic, dental	
5	Clinic, medical	
6	Clinical Social Worker	
7	Office for single physician, dentist, or chiropractor	C^
8	Licensed professional	C^
9	Mortuary	C^
10	Optical shop	C^
11	Pharmacy	C^
12	Private school, teaching, tutoring(1 or 2 students at a time)	C^
13	Private school, teaching	C^
14	Studio: Art, Dance, Drama, Photography, etc (1 or 2 students at a time)	C^
15	Studio: Art, Dance, Drama, Photography, etc and tutoring	C^
13	Dressmakers, seamstresses, tailors, upholsters, and related occupations	C^
14	Artists, artisans, craftsman, sculptors, authors, small crafts and handcrafts, and related artistic work	C^
15	Veterinarian^	C^
F.	Retail/Related Uses	
1	Adult oriented business	
2	Food preparation, catering, etc	C^
3	Bakery/Confectionery sales	C^
4	Barber/beauty shop	C^
5	Book/Stationery Store	
6	Computer Store	
7	Department store	
8	Florist Store	
9	Furniture Store	
10	Specialty Store/Shop	C^
11	Grocery store	C^
12	Hardware store	
13	Home & Garden store	
14	Laundry/dry cleaning store	
15	Laundry services	C^
16	Liquor store (OM 015-2004)	
17	Music Store	
18	Paint Store	
19	Pet Grooming	C^
20	Pet Store	
21	Restaurant/fast food	
22	Shoe repair	C^
23	Small appliance repair	C^
24	Variety Store	
25	Commercial complex	
26	Shopping center	
27	Tire sales, retail (OM 001-002, 02/27/01)	
28	Yard sales on an occasional basis	P^
G.	Commercial/Related Uses	
1	Auto Sales – New & Used (OM 016-2004 05/11/04)	
2	Auto Sales –Used (OM 016-2004 05/11/04)	
3	Auto wash	
4	Bank/financial	
5	^^^Nondepository Financial Institutions	

Multi-Family Medium Density		
6	Building materials	
7	Dance hall	
8	Gasoline/petroleum storage (not bulk)	
9	Gasoline sales/service	
10	Fitness Center Commercial (Gym)	
11	Convenience store	
12	Night club	
13	Print shop/sales	
14	Recreation/Entertainment	
15	Research facilities	
16	Theater	
17	Vehicle storage	
H.	Industry and Manufacturing	
1	Auto repair, paint and body shop	
2	Paint and body shop	
3	Bldg maintenance & repair services	
4	Cabinet Shop	
5	Counter top shop	
6	Clothing Manufacturer	
7	Furniture Manufacturer	
8	General contractor yard	
9	Landscape / lawn maintenance	
10	HVAC shop/sales	
11	Ice cream plant	
12	Lumber yard	
13	Paint Shop	
14	Welding/machine Shop	
15	Wholesale outlet/storage and sales	
16	Light Manufacturing	
17	Motorcycle, Snowmobile, ATV, etc repair	
I.	Agriculture and Related Uses	
1	Beekeeping 4 or less colonies	P^^
1A	Beekeeping More than 4 colonies	C^^
2	Breeding or raising animals for sale, food, pleasure, or profit	
3	Keeping dogs, cats, fish, or exotic caged birds	P^^
4	Commercial crop production	
5	Dairy business	
6	Feed lot	
7	Gardens and orchards for home use	P
8	Ranch/farm production and operation	
9	Garden and greenhouse plants and produce for wholesale or retail sales OM 007-2006 05/23/2006	
10	Gasoline/petroleum storage (not bulk)	

Multi-Family High Density:

The proposed policy statement contains the following statement: "The district is appropriate in areas where the applicable master plan policies recommend . . ."

Instead of saying *where the applicable master plan policies recommend*, would you consider something like: promoting the efficient use of land and public transit opportunities while planning for the availability of public services and community facilities such as: utilities, fire and police protection, streets, public transit, schools, parks, trails, and recreation. Development of attractive residential areas that provide a sense of community and establish a pedestrian-friendly atmosphere is encouraged.

General Plan Policy: established to provide an environment suitable for high density multi-family dwelling. The district is appropriate in areas **promoting the efficient use of land and public transit opportunities, while planning for the availability of public services and community facilities such as: utilities, fire and police protection, streets, public transit, schools, parks, trails, and recreation. Development of attractive residential areas that provide a sense of community and establish a pedestrian-friendly atmosphere is encouraged.**

Area Requirements:

Min. lot area, square feet		*See subsection 10-8-3:B.5 of this Chapter for further regulation and explanation.
Min. lot width (measured at setback line)		
Min. lot area increase ea. add'l unit, square feet		
Max. units / ac excluding ROW, infrastructure^	18	
Max. lot area per ea. twin home, square feet^^		
Min. lot width, each unit (measured at setback line)		
Setbacks		**See subsection 10-8-3:B.9 of this Chapter for further regulation and explanation.
Principal uses		
Front yard, ft.	25	
Side yard, interior	10**	
Side yard, Street (OM 33-2004)	20**	
Rear yard	10***	
		***See subsection 10-8-3:C.7 of this Chapter for further regulation and explanation.
Detached Accessory Uses		
Front yard, ft.	25	
Side yard, interior	10	
Side yard, street	25	
Rear yard	5	
		##See subsection 10-8-3:C.2, C.3, C.4 of this Chapter for further regulation and explanation.
Distance between residential structures on same lot		
Height		
Principal Use, Max. hgt. ft.	IBC 45	
Accessory Use, ft. max.	IBC 35	
Principal Use, ft. min.	10	###See subsection 10-8-3:B.10 of this Chapter for further regulation and explanation.
Fences – non-game (max. height)		
Front yard, ft.	8^^^^	
		^^^Principal Uses are allowed a combination front and rear yard setback totaling at least 50 feet, with a minimum front or rear yard setback of 20 feet.
		^^^^See subsection 10-9-2

Side yard, interior	8^^^^	
Side yard, street	20**	
Rear yard	10***	
Fences – game		
Front yard, ft.		
Side yard, interior		
Side yard, street		
Rear yard		

Multi-Family High Density			
A.	Residential Uses		
1	Single family, detached		P = permitted use C = conditional use permit required X = special review required = not permitted (absence of symbol)
2	Single family, attached	P	
3	Dwelling, two family	P	
4	Dwelling, three family	P	
5	Dwelling, four family	P	
6	Dwelling, multi-family	P	
7	Manufactured/modular	P	
8	Mobile/trailer home		
9	Secondary residential structure (OM 005-2005 01/13/04)		
10	Cluster development	C	
11	Inner block development		
12	Planned Unit Development	P	
13	Bed & Breakfast		
14	Hotel/motel	C	
15	Lodging house	C	
16	Residence for persons with disabilities	P	
17	Residential facility for the aged	P	
B.	Accessory/Incidental Uses		
1	Accessory building	P	^Use is allowed as a permitted or conditional use only if it is a home business, child care business or nonconforming business that complies with Title 3, Chapter 4 of this Code, Conditional Businesses ^^Must conform to Title 5 Chapter 1 of this Code, Animal Regulation and Control.
2	Accessory dwelling unit		
3	Accessory farm building		
4	Off street parking incidental to main use	P	
5	Private swimming pool	P	
C.	Governmental/Institutional/Special Services		
1	Church	P	
2	Ministers, rabbis, priests, and other similar ordained religious work	P^	
3	Community center	P	
4	Day care nursery	C^	
5	Preschool	C^	
6	Public Park	P	
	Private Lessons / public facility		
7	Public School (OM 020-2004)	P	
8	Public building	P	
D.	Utility and Related Service		
1	Electric substation		
2	Electric power plant		
3	Fire station	P	
4	Gas meter station	P	
5	Irrigation supply	P	
6	Utility distribution lines	P	

Multi-Family High Density		
7	Radio/TV/cellular tower	
8	Sewage/water pumping station	P
9	Telephone utilities	P
10	Public utilities, other	P
11	Utility shop, storage and bldgs	P
12	Water treatment plant	P
13	Water well reservoir or storage tank	P
E.	Professional Services	
1	Business office, medium impact	C^
2	Business office, low impact	P^
3	Business office, general	
4	Clinic, dental	
5	Clinic, medical	
6	Clinical Social Worker	
7	Office for single physician, dentist, or chiropractor	C^
8	Licensed professional	C^
9	Mortuary	C^
10	Optical shop	C^
11	Pharmacy	C^
12	Private school, teaching, tutoring(1 or 2 students at a time)	C^
13	Private school, teaching	C^
14	Studio: Art, Dance, Drama, Photography, etc (1 or 2 students at a time)	C^
15	Studio: Art, Dance, Drama, Photography, etc and tutoring	C^
13	Dressmakers, seamstresses, tailors, upholsters, and related occupations	C^
14	Artists, artisans, craftsman, sculptors, authors, small crafts and handcrafts, and related artistic work	C^
15	Veterinarian^	C^
F.	Retail/Related Uses	
1	Adult oriented business	
2	Food preparation, catering, etc	C^
3	Bakery/Confectionery sales	C^
4	Barber/beauty shop	C^
5	Book/Stationery Store	
6	Computer Store	
7	Department store	
8	Florist Store	
9	Furniture Store	
10	Specialty Store/Shop	C^
11	Grocery store	C^
12	Hardware store	
13	Home & Garden store	
14	Laundry/dry cleaning store	
15	Laundry Services	C^
16	Liquor store (OM 015-2004)	
17	Music Store	
18	Paint Store	
19	Pet Grooming	C^
20	Pet Store	
21	Restaurant/fast food	
22	Shoe repair	C^
23	Small appliance repair	C^
24	Variety Store	
25	Commercial complex	
26	Shopping center	
27	Tire sales, retail (OM 001-002, 02/27/01)	
28	Yard sales on an occasional basis	P^

Multi-Family High Density		
G.	Commercial/Related Uses	
1	Auto Sales – New & Used (OM 016-2004 05/11/04)	
2	Auto Sales –Used (OM 016-2004 05/11/04)	
3	Auto wash	
4	Bank/financial	
5	^^^Nondepository Financial Institutions	
6	Building materials	
7	Dance hall	
8	Gasoline/petroleum storage (not bulk)	
9	Gasoline sales/service	
10	Fitness Center Commercial (Gym)	
11	Convenience store	
12	Night club	
13	Print shop/sales	
14	Recreation/Entertainment	
15	Research facilities	P
16	Theater	
17	Vehicle storage	
H.	Industry and Manufacturing	
1	Auto repair, paint and body shop	
2	Paint and body shop	
3	Bldg maintenance & repair services	
4	Cabinet Shop	
5	Counter top shop	
6	Clothing Manufacturer	
7	Furniture Manufacturer	
8	General contractor yard	
9	Landscape / lawn maintenance	
10	HVAC shop/sales	
11	Ice cream plant	
12	Lumber yard	
13	Paint Shop	
14	Welding/machine Shop	
15	Wholesale outlet/storage and sales	
16	Light Manufacturing	
17	Motorcycle, Snowmobile, ATV, etc repair	
I.	Agriculture and Related Uses	
1	Beekeeping 4 or less colonies	P^^
1A	Beekeeping More than 4 colonies	C^^
2	Breeding or raising animals for sale, food, pleasure, or profit	
3	Keeping dogs, cats, fish, or exotic caged birds	P^^
4	Commercial crop production	
5	Dairy business	
6	Feed lot	
7	Gardens and orchards for home use	P
8	Ranch/farm production and operation	
9	Garden and greenhouse plants and produce for wholesale or retail sales OM 007-2006 05/23/2006	
10	Gasoline/petroleum storage (not bulk)	

CHAPTER 6

USE REGULATIONS

SECTION:

10-6-1: Use Chart

10-6-2: Classification of New and Unlisted Uses

10-6-1: USE CHART: Land and buildings in each of the zoning districts may continue to be used, but no land shall herein after be used, and no building or structure shall hereinafter be erected, altered or converted which is arranged, designed or used for other than those uses specified for the district in which it is located as set forth by the following use chart and indicated by:

P = permitted use

C = conditional use permit required

X = special review required

I = Allowed only as a conditional use when incidental to a retail business with more than 15,000 square feet of floor area and:

- incidental to a single use (i.e.: a bank is incidental to retail business, not multiple businesses); and
- a department store, grocery store, health fitness center, or other retail business may have more than one incidental use associated with it; and
- the combined total of all incidental uses associated with a building may not exceed 12% of the gross square footage of the building or 6,000 sq ft whichever is less (administrative offices, restrooms, storage areas, and other enmities necessary for the operation of the retail business are not considered incidental uses); and
- cannot be a stand alone building (an unoccupied drive through structure(s) and/or fueling pads will be counted as part of the 12% but not included in the 6,000 sq ft cap of the incidental use); and
- must share the same public entrance(s); and
- a permitted business is not considered an incidental use; and
- incidental use must have its own business license unless owned and operated by the primary retail business.

= not permitted (absence of symbol)

If a use is not specifically designated, it is prohibited.

		A G R	S F E	S F L	S F T	S F R	S F M	S F H	S M H	M F R	M F M	M F H	C G D	C H D	M X D	P U B
A.	Residential Uses															
1	Single family, detached	P	P	P	P	P	P	P	P	P					P	
2	Single family, attached					P	P	P		P	P	P			P	
3	Dwelling, two family									P	P	P			P	
4	Dwelling, three family									P	P	P			P	
5	Dwelling, four family									P	P	P			P	
6	Dwelling, multi-family											P			P	
7	Manufactured/modular	P	P	P	P	P	P	P	P	P	P	P			P	
8	Mobile/trailer home								P							
9	Secondary residential structure (OM 005-2005 01/13/04)	C	C	C	C											
10	Cluster development			C	C	C	C	C	C	C	C	C			C	

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		A G R	S F E	S F L	S F T	S F R	S F M	S F H	S M H	M F R	M F M	M F H	C G D	C H D	M X D	P U B
11	Inner block development		C	C	C										C	
12	Planned Unit Development	€	C	C	C	C		C	C	C	P	P			C	
13	Bed & Breakfast	C	C	C	C	C							C		C	
14	Hotel/motel											C	C		C	
15	Lodging house									C	C	C	C		C	
16	Residence for persons with disabilities		P	P	P	P	P	P	P	P	P	P			C	
17	Residential facility for the aged		P	P	P	P	P	P	P	P	P	P			C	
B.	Accessory/Incidental Uses															
1	Accessory building	P	P	P	P	P	P	P		P	P	P	P	P	P	
2	Accessory dwelling unit	€	€		€	€	€								P	
3	Accessory farm building	P	P	P	P	P										
4	Off street parking incidental to main use	P	P	P	P	P	P	P		P	P	P	P	P	P	
5	Private swimming pool	P	P	P	P	P	P	P		P	P	P	P		P	
C.	Governmental/Institutional/Special Services															
1	Church	P	P	P	P	P	P	P	P	P	P	P				
2	Ministers, rabbis, priests, and other similar ordained religious work	P^	P^	P^	P^	P^	P^	P^	P^	P^	P^	P^				
3	Community center	P	P	P	P	P	P	P	P	P	P	P	P			
4	Day care nursery	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	P	I or C*	C	
5	Preschool	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^			C	
6	Public Park	P	P	P	P	P	P	P	P	P	P	P			P	P
	Private Lessons / public facility															C
7	Public School (OM 020-2004)	P	P	P	P	P	P	P	P	P	P	P				
8	Public building	P	P	P	P	P	P	P	P	P	P	P	P		P	P
D.	Utility and Related Service															
1	Electric substation	C	C													
2	Electric power plant	C														
3	Fire station	P	P	P	P	P	P	P	P	P	P	P				
4	Gas meter station	P	P	P	P	P	P	P	P	P	P	P				
5	Irrigation supply	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
6	Utility distribution lines	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
7	Radio/TV/cellular tower	P											C			C
8	Sewage/water pumping station	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
9	Telephone utilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
10	Public utilities, other	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
11	Utility shop, storage and bldgs	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
12	Water treatment plant	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
13	Water well reservoir or storage tank	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
E.	Professional Services															
1	Business office,	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^			P	

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		A G R	S F E	S F L	S F T	S F R	S F M	S F H	S M H	M F R	M F M	M F H	C G D	C H D	M X D	P U B
	medium impact															
2	Business office, low impact	P^	P^	P^	P^	P^	P^	P^	P^	P^	P^	P^			P	
3	Business office, general												P	I or C*	P	
4	Clinic, dental												P	I or C*	P	
5	Clinic, medical												P	I or C*	P	
6	Clinical Social Worker												P	I or C*	P	
7	Office for single physician, dentist, or chiropractor	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^		I or C*		
8	Licensed professional	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	P	I or C*	P	
9	Mortuary	C^	C^	C^					C^	C^	C^	C^	P		P	
10	Optical shop	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	P	I or C*	P	
11	Pharmacy	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	P	I or C*	P	
12	Private school, teaching, tutoring(1 or 2 students at a time)	P^	P^	P^	P^	P^	P^	P^	C^	C^	C^	C^				
13	Private school, teaching	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	P		P	
14	Studio: Art, Dance, Drama, Photography, etc (1 or 2 students at a time)	P^	P^	P^	P^	P^	P^	P^	C^	C^	C^	C^				
15	Studio: Art, Dance, Drama, Photography, etc and tutoring	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	P	I or C*	P	
16	Dressmakers, seamstresses, tailors, upholsters, and related occupations	P^	P^	P^	P^	P^	P^	P^	C^	C^	C^	C^				
17	Artists, artisans, craftsman, sculptors, authors, small crafts and handcrafts, and related artistic work	P^	P^	P^	P^	P^	P^	P^	C^	C^	C^	C^				
18	Veterinarian^^	C^	C^	C^					C^	C^	C^	C^	C		P	
F.	Retail/Related Uses															
1	Adult oriented business												C			
2	Food preparation, catering, etc	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	P	P	P	C
3	Bakery/Confectionery sales	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	P	P	P	
4	Barber/beauty shop	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	P	P	P	
5	Book/Stationery Store												p	p	P	
6	Computer Store												p	p	P	
7	Department store												p	p	P	

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		A G R	S F E	S F L	S F T	S F R	S F M	S F H	S M H	M F R	M F M	M F H	C G D	C H D	M X D	P U B
8	Florist Store												p	p	P	
9	Furniture Store												p	p	P	
10	Specialty Store/Shop	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^		P		
11	Grocery store	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	p	p	P	
12	Hardware store												p	p	P	
13	Home & Garden store												p	p	P	
14	Laundry/dry cleaning store												p	p	P	
15	Laundry services	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^				
16	Liquor store (OM 015-2004)												p	p	P	
17	Music Store												p	p	P	
	Paint Store												p	p	P	
18	Pet Grooming	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	P	P	P	
19	Pet Store												p	p	P	
20	Restaurant/fast food												p	p	P	
21	Shoe repair	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	p	p	P	
22	Small appliance repair	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	p	p	C	
23	Variety Store												p	p	P	
24	Commercial complex												p	p	P	
25	Shopping center												p	p	P	
26	Tire sales, retail (OM 001-002, 02/27/01)												c	P		
27	Yard sales on an occasional basis	P^	P^	P^	P^	P^	P^	P^	P^	P^	P^	P^				
G.	Commercial/Related Uses															
1	Auto Sales – New & Used (OM 016-2004 05/11/04)												P	P		
2	Auto Sales –Used (OM 016-2004 05/11/04)															
3	Auto wash												P	P		
4	Bank/financial												C	I or C*	P	
5	^^^Nondepository Financial Institutions												P	I or C*		
6	Building materials												P	P		
7	Dance hall															
8	Gasoline/petroleum storage (not bulk)	C	C	C	C	C							C	C		
9	Gasoline sales/service												P	P		
10	Fitness Center Commercial (Gym)												P	P	P	
11	Convenience store												P	P		
12	Night club															
13	Print shop/sales	C^	C^	C^	C^	C^	C^	C^					P	P	P	
14	Recreation/Entertainment												P	I or C*		
15	Research facilities	C^	C^	C^	C^	C^	C^	C^				P				
16	Theater												P	P	P	
17	Vehicle storage															
H.	Industry and Manufacturing															
1	Auto repair, paint and body shop	C^	C^	C^	C^	C^								C	C	
2	Paint and body shop															

		A G R	S F E	S F L	S F T	S F R	S F M	S F H	S M H	M F R	M F M	M F H	C G D	C H D	M X D	P U B
3	Bldg maintenance & repair services	C^	C^	C^	C^	C^										
4	Counter top or Cabinet Shop	C^	C^	C^	C^	C^										
5	Counter top shop															
6	Clothing Manufacturer	C^	C^	C^	C^	C^										
7	Furniture Manufacturer	C^	C^	C^	C^	C^										
8	General contractor yard	C^	C^	C^	C^	C^										
9	Landscape/lawn maintenance	C^	C^	C^	C^	C^										
10	HVAC shop/sales															
11	Ice cream plant															
12	Lumber yard												P			
13	Paint Shop												P			
14	Welding/machine Shop												C			
15	Wholesale outlet/storage and sales												P			
16	Light Manufacturing												C			
17	Motorcycle, Snowmobile, ATV, etc repair	C^	C^	C^	C^	C^	C^	C^	C^							
I.	Agriculture and Related Uses															
1	Beekeeping 4 or less colonies	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^	P^^ ^	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^
1A	Beekeeping More than 4 colonies	C^ ^	C^ ^	C^ ^	C^ ^	C^ ^	C^ ^	C^ ^	C^ ^	C^ ^	C^^ ^	C^ ^	C^ ^	C^ ^	C^ ^	C^ ^
2	Breeding or raising animals for sale, food, pleasure, or profit	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^										
3	Keeping dogs, cats, fish, or exotic caged birds	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^	P^^ ^	P^ ^	C	I	P	
4	Commercial crop production	P	P	P	P	P										
5	Dairy business	P^ ^	P^ ^	P^ ^												
6	Feed lot	C														
7	Gardens and orchards for home use	P	P	P	P	P	P	P	P	P	P	P			P	
8	Ranch/farm production and operation	P	P													
9	Garden and greenhouse plants and produce for wholesale or retail sales OM 007-2006 05/23/2006	C^	C^	C^	C^	C^	C^	C^	C^							
10	Gasoline/petroleum storage (not bulk)	C														

^Use is allowed as a permitted or conditional use only if it is a home business, child care business or nonconforming business that complies with Title 3, Chapter 4 of this Code, Conditional Businesses

^^Must conform to Title 5 Chapter 1 of this Code, Animal Regulation and Control.

^^^Nondepository financial institutions are businesses that conduct transactions of cashing a check for consideration or extending a deferred deposit loan and shall include any other similar types of businesses

licensed by the State of Utah pursuant to the check cashing and deferred deposit lending registration act. Nondepository financial institutions shall be limited by the population of all residents in Providence City. The total population figures shall be based on the US Census Bureau's annual estimates. Only one nonfinancial institution shall be allowed for a population of 0 – 7,000. and 1 per 7,000 thereafter.

*The following conditions apply to a non-sales tax generating business (NSTGB) located in the CHD zone:

1. The combined total of all NSTGB will be limited to no more than 15% of the combined existing gross leasable space (GLS) of buildings in the project area; the GLS of a building is based on the square footage of the ground floor; upper levels are not included in the combined totals for or against the 15% limitation.
2. The project area is the approved preliminary plat.
3. Incidental uses in the project area are not computed in the 15% limitation.
4. NSTGB may be in a free standing building of its own or part of a multi-tenant building with separate outside entrances for the public.

10-6-2: CLASSIFICATION OF NEW AND UNLISTED USES:

A. Request; Referral: Requests for a new use or unlisted conditional use shall be referred to the Planning Commission chairperson for consideration by the Planning Commission. Applications for a new use and unlisted conditional use will be processed in accordance with the procedures listed in subsection 10-3-5:C of this Title to determine if such use should be permitted and added to the current list of approved uses. The Planning Commission shall forward to the City Council a recommendation to accept or reject the request. The Planning Commission shall also forward, with any recommendation for approval of a new use, the necessary ordinance amendments to implement the use.

B. City Council Action: The City Council will approve or disapprove the recommendation. Upon approval, the Process will be started to amend the necessary City ordinances in accordance with the procedures outlined for ordinance amendments and changes. (Ord., 7-23-1996)